

EXHIBIT H

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CAMBRIDGE CONSULTING GROUP, INC.,	§	
	§	
	§	
Plaintiff,	§	Civil Action No.
	§	3:11-CV-00306-O
	§	
	§	
-v-	§	
	§	
BANK OF AMERICA, N.A.,	§	
	§	
	§	
Defendant.	§	

VIDEOTAPE TRIAL DEPOSITION of NON-PARTY WITNESS
RANDY KOHANA, taken by Defendant at the offices of
Thompson & Knight LLP, 900 Third Avenue, New York,
New York, on Monday, October 10, 2011, commencing at
9:35 a.m., before Kimberly Smith, a Shorthand
(Stenotype) Reporter and Notary Public within and for
the State of New York.

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<p>1 APPEARANCES: 2 (Via telephone.) 3 KILGORE & KILGORE PLLC 4 Attorneys for Plaintiff 5 3109 Carlisle, Suite 200 6 Dallas, TX 75204 7 BY: THEODORE C. ANDERSON, III, Esq. 8 ROBERT E. GOODMAN, Esq. 9 10 FULBRIGHT & JAWORSKI L.L.P. 11 Attorneys for Defendant 12 2200 Ross Avenue, Suite 2800 13 Dallas, TX 75201 14 BY: THEODORE W. DANIEL, Esq. 15 16 THOMPSON & KNIGHT LLP 17 Attorneys for Witness 18 900 Third Avenue, 20th Floor 19 New York, NY 10022 20 BY: GABRIELLE E. FARINA, Esq. 21 22 ALSO PRESENT: 23 James Robert, Legal Videographer 24 25</p>	<p>1 MR. ANDERSON: Ted Anderson and 2 Bob Goodman for the plaintiff, 3 Cambridge Consulting. 4 THE VIDEOGRAPHER: Our court 5 reporter is Kimberly Smith also here 6 in association with Hundt Reporting 7 will please swear in the witness. 8 R A N D Y K O H A N A, called as a witness, having 9 been first duly sworn by Kimberly Smith, a Notary 10 Public within and for the State of New York, was 11 examined and testified as follows: 12 THE VIDEOGRAPHER: Proceed. 13 EXAMINATION 14 BY MR. DANIEL: 15 Q Good morning, Mr. Kohana. 16 A Good morning. 17 Q Would you state your full name for the 18 record, please? 19 A Randy Kohana. 20 Q And where do you live, Mr. Kohana? 21 A I live in New York City. 22 Q Okay. Is that your permanent residence? 23 A Yes, it is. 24 Q And do you also office in New York City? 25 A Yes, I do.</p>
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<p>1 THE VIDEOGRAPHER: Good 2 morning. We're going on the record. 3 My name is James Robert here in 4 association with Hundt Reporting, LLC 5 in Dallas, Texas. Today's date is 6 October 10, 2011. The time is 7 approximately 9:35 a.m. 8 This deposition is being held 9 in the office of Thompson & Knight 10 located at 900 Third Avenue, New York 11 City, New York. The caption of the 12 case is Cambridge Consulting Group 13 Incorporated versus Bank of America, 14 N.A. in the U.S. District Court, 15 Northern District of Texas, Dallas 16 Division, Civil Action No. 17 3:11-CV-00306-0. The name of the 18 witness is Randy Kohana. 19 At this time the attorneys will 20 please identify themselves and the 21 parties they represent. 22 MR. DANIEL: Ted Daniel for 23 Bank of America. 24 MS. FARINA: Gabrielle Farina 25 for Mr. Kohana.</p>	<p>1 Q And what is your residence address? 2 A 134 West 10th Street. 3 Q And your office address? 4 A 270 Lafayette Street. 5 Q Now, you understand that we're here in 6 connection with a lawsuit that Cambridge Consulting Group 7 has filed against my client, Bank of America; it's 8 pending in federal court in Dallas, Texas? 9 A Yes, I do. 10 Q And you -- you have an affiliation with 11 the landlord of the One Main Place office building in 12 downtown Dallas; is that correct? 13 A Yes, I do. 14 Q What is that affiliation? 15 A I'm the general partner of the 16 partnership that owns the property. 17 Q Okay. And what is the name of that 18 partnership? 19 A RAK Main Place Associates L.P. 20 Q Okay. When did RAK Main Place become the 21 landlord of that property? 22 A May of 1998. 23 Q Okay. You bought the property from the 24 prior owner? 25 A Correct.</p>

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<p>1 Q Okay. And so RAK Main Street considers 2 itself to be the landlord? 3 A RAK Main Place Associates. 4 Q Associates is the landlord with Bank of 5 America with respect to the floors that Bank of America 6 leases at the One Main Place building? 7 A Correct. 8 Q Okay. And how many floors does Bank of 9 America have under that lease at this time? 10 A I think 17. 11 Q Okay. Are you the sole general partner 12 of the landlord? 13 A I'm the sole general partner of the 14 general partner of the partnership that owns the 15 building. 16 Q Okay. So any -- any deals that might be 17 made with the -- with the bank, Bank of America, with 18 respect to the lease would have to be approved by you? 19 A Yes. 20 MR. ANDERSON: Object to the 21 form. 22 Q As the sole general partner of the 23 general partner of the landlord would you need approval 24 from anyone else to consummate an agreement with the bank 25 with respect to the lease?</p>	<p>1 form. 2 Q And in connection with your discussions 3 with the bank with respect to a buyout -- strike that. 4 You did have discussions with the bank 5 with respect to a buyout of the lease? 6 A Very, very general. 7 Q Okay. Did the discussions ever get to a 8 point where you went to your lender for approval? 9 A No. 10 MR. ANDERSON: Object to the 11 form. 12 Q What was the first time you spoke with 13 John or David Worrell with respect to the lease, the Bank 14 of America lease? 15 A I think it was approximately 16 Christmas-time 2008. 17 Q 2008? 18 A I think so. 19 Q Okay. And how did you first come into 20 contact with the Worrells? 21 A They called my company and they were in 22 New York and they wanted to meet with us as representing 23 the bank. 24 Q Okay. Mr. Kohana, to speed things up I'm 25 just going to ask you to identify a bunch of documents</p>
Page 7	Page 9
<p>1 A Yes. 2 MR. ANDERSON: Object to the 3 form. 4 Q Who would that be? 5 A It would be the mortgagee of the 6 building. 7 Q And the mortgagee is? 8 A It -- it was a CMBS transaction. I don't 9 -- I don't know the name. 10 Q Okay. Did you ever communicate with the 11 mortgagee -- and when you say -- let's back up. When you 12 say mortgagee, what do you mean? 13 A The bank, the mortgage, the bank that 14 holds the mortgage. 15 Q So RAK Main Street (sic) Associates has a 16 loan against the building? 17 A Correct. 18 Q Okay. And they were written loan 19 documents? 20 A Correct. 21 Q And your understanding is that under 22 those documents you would have to get approval with 23 respect to any agreement that you made with the bank? 24 A Yes. 25 MR. ANDERSON: Object to the</p>	<p>1 real quick. 2 A Sure. 3 Q And then I'm going to ask you a few 4 questions about just some of the documents. 5 A Sure. 6 (John Worrell's e-mail, 7 12/30/09, was marked as Exhibit 1 for 8 identification, as of this date.) 9 BY MR. DANIEL: 10 Q Let me hand you Exhibit 1 (handing). 11 MR. ANDERSON: And Ted, what 12 you're marking as Exhibit 1 is what 13 has been marked generally as 14 Exhibit 1 or is this Exhibit 1 to the 15 deposition of Mr. Kohana? 16 MR. DANIEL: It's Exhibit 1 to 17 the deposition of Mr. Kohana. 18 MR. ANDERSON: Okay. Is there 19 a Bates number on the document? 20 MR. DANIEL: Yes. RAK 000027. 21 MS. FARINA: Do you have a 22 copy? 23 MR. DANIEL: Yeah. 24 MS. FARINA: Thank you. 25 MR. DANIEL: Ted, it's a</p>

5 (Pages 14 to 17)

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<p>1 Q Now, Mr. Kohana, is this your e-mail 2 dated March 15, 2010, to John Worrell? 3 A (Perusing document.) You mean the two 4 sentences at the top? 5 Q Yes. 6 A Yes. 7 Q Okay. And you sent this in connection 8 with the One Main Place roof? 9 A Yes. 10 Q Okay. And then you see down below 11 Mr. Worrell sent you an e-mail on March 15, 2010? 12 A Well, I see that in the page you gave me, 13 yes. 14 Q Okay. Do you recall seeing this e-mail 15 from Mr. Worrell? 16 A Their e-mails all seem the same, I don't 17 remember this one in particular. 18 Q Okay. 19 MR. ANDERSON: Object to the 20 responsiveness. 21 (David Worrell's e-mail, 22 3/16/10, was marked as Exhibit 5 for 23 identification, as of this date.) 24 BY MR. DANIEL: 25 Q Now, let me hand you Exhibit 5,</p>	<p>1 Q And what's the date on this e-mail? 2 A March 19, 2010. 3 (David Worrell's e-mail, 4 3/22/10, was marked as Exhibit 7 for 5 identification, as of this date.) 6 BY MR. DANIEL: 7 Q Okay. Let me hand you Exhibit 7, sir 8 (handing). What is Exhibit 7? 9 A (Perusing document.) An e-mail from 10 David Worrell to myself. 11 Q What's the date on this e-mail? 12 A March 22, 2010. 13 (John Worrell's e-mail, 14 3/22/10, was marked as Exhibit 8 15 for identification, as of this 16 date.) 17 BY MR. DANIEL: 18 Q Now, let me hand you Exhibit 8 (handing). 19 What is Exhibit 8, sir? 20 A (Perusing document.) E-mail from 21 John Worrell to myself and Seth. 22 Q What's the date on this e-mail? 23 A March 22, 2010. 24 (John Worrell's e-mail, 25 3/24/10, was marked as Exhibit 9</p>
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<p>1 Mr. Kohana (handing). 2 MR. DANIEL: Ted, this is RAK 3 3. 4 Q Mr. Kohana, what is Exhibit 5? 5 A (Perusing document.) It seems like an 6 e-mail from Worrell to me threatening me. 7 Q From which Worrell? 8 MR. ANDERSON: Object to the 9 response -- object to the 10 responsiveness. 11 Q Which Worrell? 12 A David Worrell. 13 Q And what's the date on this e-mail? 14 A March 16, 2010. 15 Q Okay. Did you receive this e-mail on or 16 about that date? 17 A I don't -- I don't remember. 18 (John Worrell's e-mail, 19 3/19/10, was marked as Exhibit 6 for 20 identification, as of this date.) 21 BY MR. DANIEL: 22 Q Okay. Now, let me hand you Exhibit 6, 23 Mr. Kohana (handing). What is Exhibit 6, sir? 24 A (Perusing document.) It seems like an 25 e-mail from John Worrell to Seth and myself.</p>	<p>1 for identification, as of this 2 date.) 3 BY MR. DANIEL: 4 Q Let me hand you Exhibit 9, sir (handing). 5 What is Exhibit 9? 6 A (Perusing document.) E-mail from 7 John Worrell to Seth CCing me. 8 Q Okay. 9 MR. ANDERSON: I'm sorry, I 10 didn't catch the date. 11 Q And what's the date on that e-mail? 12 A March 24, 2010. 13 (Randy Kohana's e-mail, 14 3/25/10, was marked as Exhibit 10 15 for identification, as of this 16 date.) 17 BY MR. DANIEL: 18 Q Now, let me hand you Exhibit 10, sir 19 (handing). What is Exhibit 10? 20 A (Perusing document.) I don't know. 21 Q Do you see the first page of Exhibit 10? 22 A It says it's from me to Sudderth on 23 March 25, 2010. 24 Q Okay. And you've given a note to 25 Mr. Sudderth that says, "as promised"?</p>

6 (Pages 18 to 21)

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<p>1 A I guess now looking at it it looks like 2 copies of things he asked for. 3 Q Okay. Let's -- let's go through 4 Exhibit 10 real quick, Mr. Kohana. 5 A Okay. 6 Q On your -- the cover page to Exhibit 10 7 is your e-mail of March 25, 2010? 8 A Correct. 9 Q Okay. And you've copied David Worrell? 10 A Yes. 11 Q Okay. And then it looks like there's 12 several attachments? 13 A Yes. 14 Q Okay. And let's look at the first 15 attachment, sir. The first attachment is what? 16 A It seems like a letter I sent Sudderth 17 March 24, 2010. 18 Q Yes, sir. And did you prepare this 19 letter? 20 A I was involved with the preparation. 21 Q Okay. Is that your signature on the 22 March 24th lever -- March 24, 2010, letter? 23 A Yes, it is. 24 Q Okay. And did you copy Mr. David Worrell 25 on your letter?</p>	<p>1 first page of Exhibit 11? 2 A Correct. 3 Q Okay. And -- and there's an attachment 4 to your e-mail of April 6, 2010? 5 A Yes. 6 Q And what is the attachment, sir? 7 A It's a printout of information from 8 Cambridge's website. 9 Q And what's the first -- what's the first 10 attachment there, sir? 11 A Oh, a letter to Dave. 12 Q Okay. And this is your letter of 13 April 6, 2010, to Mr. Sudderth? 14 A Yes. 15 Q And is that your signature on the letter? 16 A Yes, it is. 17 Q All right. And then attached to your 18 April 6th letter is a printout of Cambridge's website? 19 A Yes. 20 (David Sudderth's e-mail, 21 5/20/10, was marked as Exhibit 12 for 22 identification, as of this date.) 23 BY MR. DANIEL: 24 Q Okay. Now, let me hand you Exhibit 12 25 (handing). What is Exhibit 12?</p>
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<p>1 A Yes. 2 Q Okay. Did you put together all of these 3 attachments and send these to Mr. Sudderth? 4 A I don't remember who particularly did. 5 Q Okay. But do you agree that you 6 ultimately sent the e-mail with the attachments to 7 Mr. Sudderth? 8 A I don't recollect, but it seems to be. 9 Q Okay. 10 MR. ANDERSON: Object to the 11 responsiveness. 12 Q Do you have any reason to doubt that you 13 did that? 14 A No. 15 Q Okay. 16 (Randy Kohana's 17 correspondence, 4/6/10, was 18 marked as Exhibit 11 for 19 identification, as of this date.) 20 BY MR. DANIEL: 21 Q Now, let me hand you Exhibit 11, 22 Mr. Kohana (handing). And what is Exhibit 11, sir? 23 A (Perusing document.) A letter from -- it 24 seems to be from me to Sudderth, April 6, 2010. 25 Q Okay. And you're looking now at the</p>	<p>1 A (Perusing document.) A letter to 2 Sudderth, May 20, 2010. 3 Q Is it a letter to Mr. Sudderth or from 4 Mr. Sudderth? 5 A To him -- I'm sorry, to me from him. 6 Q Yes, sir. And it's dated May 20, 2010? 7 A Yes. 8 Q And did you receive this letter on or 9 about that date? 10 A Yes. 11 (Randy Kohana's e-mail, 12 6/10/10, was marked as Exhibit 13 for 13 identification, as of this date.) 14 BY MR. DANIEL: 15 Q Okay. Now, let me hand you Exhibit 13 16 (handing). Is Exhibit 13 your June 10, 2010, e-mail to 17 Mr. Sudderth? 18 A (Perusing document.) Seems to be. 19 Q Okay. Do you have any reason to believe 20 it is not? 21 A No. 22 (Mr. Worrell's e-mail, 6/10/10, 23 was marked as Exhibit 14 for 24 identification, as of this date.) 25 BY MR. DANIEL:</p>

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<p>1 Q Did I read that correctly?</p> <p>2 A That's correct.</p> <p>3 Q Now, what -- what did you understand the</p> <p>4 purpose of this e-mail to be?</p> <p>5 MR. ANDERSON: Object to the</p> <p>6 form.</p> <p>7 A A threat that either we work something</p> <p>8 out like giving back the floors or taking a buyout or</p> <p>9 that it would get out of control in some way.</p> <p>10 Q And from -- from December of 2009 when</p> <p>11 you met with the Worrells up through the date of this</p> <p>12 e-mail tell me what -- what the Worrells had been telling</p> <p>13 you just in general.</p> <p>14 A That there were environmental -- negative</p> <p>15 environmental conditions in the building that needed to</p> <p>16 be dealt with.</p> <p>17 Q Had they mentioned a buyout to you at</p> <p>18 that point?</p> <p>19 A I don't remember at what point they did.</p> <p>20 Q Okay. And what was your reaction when</p> <p>21 they told you that there were negative environmental</p> <p>22 issues in the building?</p> <p>23 A We -- we investigated it.</p> <p>24 Q Okay. And when you say we, who -- who is</p> <p>25 that?</p>	<p>1 form.</p> <p>2 A There were many that over time became</p> <p>3 less and less from their point of view.</p> <p>4 Q Do you recall in March of 2006 (sic) --</p> <p>5 MR. ANDERSON: Object to the</p> <p>6 responsiveness.</p> <p>7 Q Do you recall in March 2010 what</p> <p>8 environmental issues the Worrells were focused on?</p> <p>9 A No, I do not.</p> <p>10 Q Okay.</p> <p>11 MR. ANDERSON: Object to the</p> <p>12 form.</p> <p>13 Q And at -- at some point in time did the</p> <p>14 Worrells focus on a particular environmental issue?</p> <p>15 A Yes.</p> <p>16 Q What was that?</p> <p>17 A Potential asbestos issues within the HVAC</p> <p>18 units.</p> <p>19 Q And did you investigate that issue?</p> <p>20 A Yes.</p> <p>21 Q And what did you determine?</p> <p>22 A That there was non-friable mastic in the</p> <p>23 units.</p> <p>24 Q And did you engage Sigma Consulting to</p> <p>25 help you investigate the asbestos issue raised by the</p>
Page 31	Page 33
<p>1 A The -- sort of the management team at my</p> <p>2 company with outside people.</p> <p>3 Q Okay. And who were the outside people?</p> <p>4 A Mostly Sigma Consultant.</p> <p>5 Q Okay. And who is Sigma?</p> <p>6 A They're an environmental consultant.</p> <p>7 Q Where are they located?</p> <p>8 A In Dallas.</p> <p>9 Q And had you worked with Sigma before?</p> <p>10 A Yes.</p> <p>11 Q For how long?</p> <p>12 A I don't remember.</p> <p>13 Q Okay. As of March of 2010 had -- had you</p> <p>14 had any problems with Sigma?</p> <p>15 A No.</p> <p>16 Q Okay. And what -- what did you -- what</p> <p>17 -- what did you and your team conclude with respect to</p> <p>18 the negative environmental issues that the Worrells had</p> <p>19 been raising?</p> <p>20 A We believed there never was an issue or</p> <p>21 is an issue.</p> <p>22 Q What specifically were the Worrells</p> <p>23 focused on in their conversations with you with respect</p> <p>24 to negative environmental issues?</p> <p>25 MR. ANDERSON: Object to the</p>	<p>1 Worrells?</p> <p>2 A Yes.</p> <p>3 Q Did you tell the Worrells the</p> <p>4 determination that you made with respect to the asbestos</p> <p>5 issues they raised?</p> <p>6 MR. ANDERSON: Object to the</p> <p>7 form.</p> <p>8 A Anything we said was in writing.</p> <p>9 Q Now, when you say non-friable mastic,</p> <p>10 what do you mean by that?</p> <p>11 A I'm not an asbestos expert, my</p> <p>12 understanding is that it's like a glue that glues</p> <p>13 something to something.</p> <p>14 Q Did you -- after the Worrells started</p> <p>15 raising these environmental issues with you, did you</p> <p>16 travel from New York to Dallas to inspect the building?</p> <p>17 A Yes, I did.</p> <p>18 Q On how many occasions?</p> <p>19 A I don't remember.</p> <p>20 Q Was it more than one?</p> <p>21 A There was one specifically that I</p> <p>22 remember.</p> <p>23 Q Okay. And who -- and what did you do</p> <p>24 when you traveled to the building?</p> <p>25 A I reviewed the things that were mostly in</p>

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<p>1 their report and pictures that they had given us and to 2 see for myself what the -- what the situation was. 3 Q And what -- from what you saw what did 4 you determine? 5 A Well, the only thing that I could point 6 to in my mind was there was mold conditions on ceiling 7 tiles that we believed came from the bank themselves. 8 Q And why did you believe that mold issues 9 came from the bank? 10 A Because when they had done an extensive 11 renovation of their floors, there were penetrations and 12 our understanding was water through cleaning of those 13 floors seeped down through those penetrations to the 14 tiles below. 15 Q Okay. Now, let me -- let me show you 16 Exhibit 7. We identified this earlier as Mr. Worrell's 17 March 22, 2010, e-mail to you; do you see that, sir? 18 A Yes. 19 Q And the subject on this e-mail is 20 resolution offer; do you see that? 21 A Yes, I do. 22 Q And were you surprised when you got this 23 e-mail from Mr. David Worrell? 24 A Never surprised when I got an e-mail from 25 any of the Worrells.</p>	<p>1 was your reaction to it? 2 A It would have been in a written response. 3 Q Well, did you -- did you respond to it? 4 I have not -- I have not seen a response. Do you recall 5 responding to it? 6 A Maybe there was one phone conversation 7 with David Worrell. 8 Q What -- what did you talk about in that 9 phone conversation? 10 A He was talking about a buyout of the 11 lease. 12 Q What did you tell him? 13 A We're not interested in a buyout of the 14 lease. 15 Q Did that ever change, sir, in your 16 discussions with the Worrells? 17 A No. 18 Q And why weren't you interested in a 19 buyout of the lease? 20 A Because, one, we believed we never did 21 anything wrong in the building; and two, they had a 22 lease, we wanted to hold them to it. 23 Q Did you -- did you tell that to the 24 Worrells? 25 A Yes, I did.</p>
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<p>1 Q And why do you say that, sir? 2 A The abusive nature of their bullying of 3 us on this issue. 4 Q And prior -- prior to March 22, 2010, 5 when Mr. Worrell sent you his resolution offer, describe 6 the bullying efforts. 7 A They're all in the e-mails. 8 Q Can you just generally describe them for 9 me, sir? 10 A One of threats. 11 MR. ANDERSON: Object to the 12 form of the question. Object to the 13 responsiveness. 14 Q And what kind of threats were they making 15 to you as of March 22, 2010? 16 A I -- I don't remember specific dates to 17 as of their threats. 18 Q Do you remember the substance of the 19 threats? 20 A Basically two levels, one was that it 21 would be out of their hands and the bank would take over 22 and do whatever or two, to go to regulatory -- Texas 23 regulatory commissions and make complaints. 24 Q Okay. When you got this resolution offer 25 from David Worrell that we've marked as Exhibit 7, what</p>	<p>1 Q And what did -- what was -- what was 2 their response when you said that to them? 3 A I don't remember. 4 Q Now, do you see from the resolution offer 5 that you got from Mr. Worrell that he's only talking 6 about six of the 17 floors? 7 A Yes. 8 MR. ANDERSON: Object to the 9 form. 10 Q Did -- did David Worrell ever tell you 11 why the offer was limited to six floors? 12 A Yes. 13 Q What was -- what did he tell you in that 14 regard? 15 A These were six floors the bank no longer 16 occupied nor needed to continue their operations of their 17 space. 18 Q Do you recall how much rent remained as 19 to those six floors when you got the resolution offer on 20 March 22, 2010? 21 A No, I don't remember. 22 Q Okay. Okay. Now, take -- take a look at 23 Exhibit 10, Mr. Kohana, and I want to -- I want to focus 24 you on your -- the letter, your March 24, 2010, letter; 25 do you see that?</p>

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<p>1 A Yes.</p> <p>2 Q Now, in your -- let me get you to look</p> <p>3 down at your fourth paragraph starting with "Since CRC</p> <p>4 was commissioned by the bank." Do you see that?</p> <p>5 A Yes, I do.</p> <p>6 Q And you say in this letter, "we have</p> <p>7 endured outrageous claims and comments to our building,</p> <p>8 reputation, procedures, operations and past service to</p> <p>9 the bank."</p> <p>10 A Correct.</p> <p>11 Q Did you believe that was a true</p> <p>12 statement?</p> <p>13 A Yes.</p> <p>14 Q And what outrageous claims and comments</p> <p>15 to your building, reputation, procedures, operations and</p> <p>16 past service were you referring to?</p> <p>17 A Things that were in the e-mails from them</p> <p>18 to us, comments that John Worrell made to Mike Costrin</p> <p>19 derogatory towards me and the building.</p> <p>20 Q What was Mr. Worrell's derogatory</p> <p>21 comments towards you and the building?</p> <p>22 MR. ANDERSON: Object to the</p> <p>23 form.</p> <p>24 A It -- I don't remember exactly but it was</p> <p>25 -- they were negative.</p>	<p>1 speak, to some governmental authority.</p> <p>2 Q All right. And what was your reaction to</p> <p>3 that?</p> <p>4 A We didn't do anything wrong.</p> <p>5 Q Okay. Did the Worrells ever report you</p> <p>6 to the governmental authorities?</p> <p>7 A Not to my understanding.</p> <p>8 Q Did the government authorities ever come</p> <p>9 to you and ask to inspect your building?</p> <p>10 A No.</p> <p>11 Q And that's true as of today, is it not?</p> <p>12 A That is true.</p> <p>13 Q And are you -- are you aware of anybody</p> <p>14 at the building getting sick from asbestos?</p> <p>15 A Not that I'm aware of.</p> <p>16 Q And did the Worrells ever provide you</p> <p>17 with any evidence that anybody on one of the bank's</p> <p>18 floors at One Main Place had gotten sick as a result of</p> <p>19 asbestos --</p> <p>20 A No.</p> <p>21 Q -- or mold?</p> <p>22 A No.</p> <p>23 Q Now, at the end of your -- that fourth</p> <p>24 paragraph in your March 24, 2010, letter you say, "We do</p> <p>25 not want to entertain a buyout of the lease."</p>
Page 39	Page 41
<p>1 Q Okay. And then you say in that fourth</p> <p>2 paragraph of your March 24, 2010, letter that "It is</p> <p>3 obvious through telephone calls and e-mails -- see</p> <p>4 attached -- that the modus operandi of CRC was to create</p> <p>5 an atmosphere of fear, litigation, government</p> <p>6 intervention and a threat of early lease termination in</p> <p>7 2014 as a way to force a buyout of your six-floor</p> <p>8 obligation and then provide us with a clean estoppel."</p> <p>9 Do you see that?</p> <p>10 A Yes, I do.</p> <p>11 Q Did you believe that was a true statement</p> <p>12 when you made it?</p> <p>13 A 100 percent.</p> <p>14 Q Okay. Had the Worrells threatened you</p> <p>15 with litigation as of March 24, 2010?</p> <p>16 MR. ANDERSON: Object to the</p> <p>17 form.</p> <p>18 A They alluded to the bank's litigation</p> <p>19 against us.</p> <p>20 Q And what -- what litigation did they</p> <p>21 refer to?</p> <p>22 A I have no idea.</p> <p>23 Q Okay. And when you said in here</p> <p>24 government intervention, what were you referring to?</p> <p>25 A Like I said before, reporting us, so to</p>	<p>1 A Yes.</p> <p>2 Q And was that the landlord's position as</p> <p>3 of March 24, 2010?</p> <p>4 A Yes, it was.</p> <p>5 Q And did that position ever change?</p> <p>6 A No, it did not.</p> <p>7 Q And then in your March 24th letter you --</p> <p>8 you go through various issues and address those issues,</p> <p>9 do you not?</p> <p>10 A Yes.</p> <p>11 Q And the first thing you address is</p> <p>12 asbestos?</p> <p>13 A Yes.</p> <p>14 Q And do you see at the bottom of Page 1 of</p> <p>15 your March 24, 2000 (sic) letter where you refer to the</p> <p>16 allegations of non-compliance with OSHA requirements</p> <p>17 regarding asbestos as among other fallacious comments?</p> <p>18 MR. ANDERSON: I'm sorry, Ted,</p> <p>19 you're talking about the bottom of</p> <p>20 the letter dated March 24, 2010?</p> <p>21 MR. DANIEL: Yes.</p> <p>22 MR. ANDERSON: Okay.</p> <p>23 A Please repeat the question.</p> <p>24 Q You see where you refer to the</p> <p>25 accusations with respect to non-compliance with OSHA</p>

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<p>1 requirements, it says "among other fallacious comments"? 2 A Yes. 3 Q Did you believe that to be true? 4 A Yes, I did. 5 Q As of March 24, 2010? 6 A Yes, I did. 7 Q Okay. And then you also address HVAC 8 maintenance issues raised? 9 A Yes. 10 Q And roof leak issues raised? 11 A Yes. 12 Q Leaks in general raised? 13 A Yes. 14 Q Work orders raised? 15 A Yes. 16 Q And lighting and safety issues? 17 A Yes. 18 Q And those were all issues that the 19 Worrells had raised with you? 20 A Yes. 21 Q You conclude your March 24th letter by 22 saying that "Mr. Schochet and I are more than willing to 23 come to Dallas to meet with you to go over any open or 24 to-be-discussed issues." 25 A Correct.</p>	<p>1 from you at the One Main Place building? 2 A No. 3 Q Now, let me direct your attention to the 4 second paragraph of your April 6, 2010, letter. You say, 5 "David Worrell called me a few weeks ago with a proposal 6 to buy out your unused office space. As we were 7 discussing the situation, among other comments, he said 8 all my brother wants to do is make a lot of money on 9 this." Do you see that? 10 A Yes. 11 Q Did he say that? 12 A Yes, he did. 13 Q And what did you understand he was 14 referring -- or who did you understand he was referring 15 to when he said my brother? 16 A John Worrell. 17 Q Now, go over to the next page, will you 18 please, sir. 19 A Okay. 20 Q The second paragraph -- 21 A Yes. 22 Q -- you see where you say, "Additionally, 23 John Worrell in conversations with my employees has 24 spoken about me in a most disparaging fashion as well as 25 to my general manager"?</p>
Page 43	Page 45
<p>1 Q Did you -- did you ever do that, sir? 2 A No. 3 Q Did Mr. Sudderth ever ask you to come to 4 Dallas and go over the issues? 5 A No. 6 Q Now, you copied David Worrell on your 7 March 24, 2010 e-mail; do you see that? 8 A Yes. 9 Q Did you ever get -- get a response to Mr. 10 -- I'm sorry, from Mr. Worrell to this letter? 11 A I don't recollect that. 12 Q Okay. And why did you copy David Worrell 13 on your letter? 14 A So he was aware of the response I had 15 made to the bank. 16 Q Okay. Did John Worrell ever call you up 17 and respond to your March 24, 2010, letter? 18 A No. 19 Q Now, let's look at Exhibit 11, sir. You 20 can put Exhibit -- that one away. Now, Exhibit 11 is 21 your April 6, 2010, letter to Mr. Sudderth; is that 22 correct? 23 A Yes. 24 Q Did -- did the Worrells ever suggest a 25 buyout on all of the floors that the bank was leasing</p>	<p>1 A Yes. 2 Q Is that the same issue we -- we discussed 3 earlier today? 4 A Correct. 5 Q Okay. Now, did you believe that the 6 Worrells were acting in a professional manner with you -- 7 MR. ANDERSON: Object to the 8 form. 9 Q -- as of April 6, 2010? 10 A No. 11 MR. ANDERSON: Object to the 12 form. 13 Q And why is that? 14 A Speaking negatively about me to a 15 employee of mine for one. 16 Q Okay. Can you think of any -- anything 17 else? 18 A No. The harassment of the letters. 19 Q Okay. The letters that we have -- 20 A The e-mails, letters. 21 Q Okay. All right. Now, in your next 22 paragraph, the third paragraph, on Page 2 of your 23 April 6, 2010, letter you say, "Dave, we have had a good 24 and professional landlord-tenant relationship for 12 25 years without any of the issues that have arisen</p>

Page 46	Page 48
<p>1 recently." Was that true?</p> <p>2 A That is true.</p> <p>3 Q And then you say, "At this point as</p> <p>4 landlord we will not have any more contact with the</p> <p>5 Worrells."</p> <p>6 A Yes.</p> <p>7 Q And that was your direction to</p> <p>8 Mr. Sudderth?</p> <p>9 A Yes.</p> <p>10 Q And did you have any contact with the</p> <p>11 Worrells after your April 6, 2010, letter?</p> <p>12 A No.</p> <p>13 Q Now, do you recall that they continued to</p> <p>14 send some e-mails to you after April 6, 2010?</p> <p>15 A I don't remember.</p> <p>16 Q Okay. But you do not believe you had any</p> <p>17 direct communications to the Worrells after April 6,</p> <p>18 2010?</p> <p>19 A No.</p> <p>20 Q Is that correct?</p> <p>21 A That's correct.</p> <p>22 Q All right. And then you say in here,</p> <p>23 "They are not to contact us or any of our employees</p> <p>24 including without limitation via e-mail, regular mail</p> <p>25 and/or telephone."</p>	<p>1 Q Is there -- can you think of any</p> <p>2 circumstance under which you would have agreed to a</p> <p>3 buyout?</p> <p>4 MR. ANDERSON: Object to the</p> <p>5 form.</p> <p>6 A The only discussion we had was if the</p> <p>7 bank paid us 99 percent of the money that they owed us</p> <p>8 under the lease term and only then under that</p> <p>9 circumstance would we consider doing it and if then, we'd</p> <p>10 have to go to the loan -- the person who has the mortgage</p> <p>11 on the building to ask them what they would like to do.</p> <p>12 Q Now, you conclude your April 6, 2010,</p> <p>13 letter by saying, "In summary, we're going to look to the</p> <p>14 lease between us and follow it completely no more, no</p> <p>15 less."</p> <p>16 A Correct.</p> <p>17 Q Do you see that?</p> <p>18 A Correct.</p> <p>19 Q Was that always your position, sir?</p> <p>20 A Always.</p> <p>21 Q When the Worrells contacted your lender,</p> <p>22 what was your reaction to that?</p> <p>23 A Anger.</p> <p>24 Q And why were you angry?</p> <p>25 A They had no right to do that.</p>
Page 47	Page 49
<p>1 A Yes.</p> <p>2 Q And then you -- then you conclude by</p> <p>3 saying, "We will be happy to communicate directly with</p> <p>4 Bank of America employees." Is that correct?</p> <p>5 A That's correct.</p> <p>6 Q Now, why -- why did you direct</p> <p>7 Mr. Sudderth that the Worrells were not to contact any of</p> <p>8 your people via e-mail, regular mail and/or telephone as</p> <p>9 of April 6, 2010?</p> <p>10 A We wanted no further contact with these</p> <p>11 people.</p> <p>12 Q And why is that, sir?</p> <p>13 A Because of the nature of how they dealt</p> <p>14 with us over these few months.</p> <p>15 Q Okay. Now -- now, I showed you</p> <p>16 Mr. Worrell's resolution offer of March 22, 2010.</p> <p>17 A Yes.</p> <p>18 Q We just looked at that. Did you have any</p> <p>19 further negotiations with David or John Worrell with</p> <p>20 respect to a buyout after you got his resolution offer?</p> <p>21 A We spoke in general on the telephone.</p> <p>22 Q Okay. Did you ever agree to a buyout?</p> <p>23 A No.</p> <p>24 Q Did you ever even consider a buyout, sir?</p> <p>25 A No.</p>	<p>1 Q Are you familiar with the termination</p> <p>2 option under the lease?</p> <p>3 A Somewhat.</p> <p>4 Q And does it -- does it a -- what do you</p> <p>5 understand about the termination option?</p> <p>6 A I know they have one --</p> <p>7 MR. ANDERSON: Object to the</p> <p>8 form.</p> <p>9 A -- I think for a couple of floors at some</p> <p>10 point in time.</p> <p>11 Q Okay. Now, at some point in time did --</p> <p>12 did the landlord through you agree to an abatement plan</p> <p>13 with respect -- with respect to the One Main Place floors</p> <p>14 that the bank occupied or leased?</p> <p>15 A Yes.</p> <p>16 Q And when did -- when did that agreement</p> <p>17 come about?</p> <p>18 A I don't remember.</p> <p>19 Q Could you give -- approximate it for me,</p> <p>20 sir?</p> <p>21 A I think sometime in the springtime of</p> <p>22 2010.</p> <p>23 Q Okay. Do you recall when the abatement</p> <p>24 work actually started?</p> <p>25 A Sometime I think in June of this year, of</p>

Page 50	Page 52
<p>1 2010.</p> <p>2 Q June of 2010?</p> <p>3 A No, I'm sorry. I'm sorry. This year it</p> <p>4 started, I think June 2011.</p> <p>5 Q 2011?</p> <p>6 A Yes.</p> <p>7 Q Okay. Has the abatement work been</p> <p>8 completed at this time?</p> <p>9 A It has now, yes.</p> <p>10 Q It has now?</p> <p>11 A Yes.</p> <p>12 Q Okay. And who paid for the abatement</p> <p>13 work?</p> <p>14 A The landlord.</p> <p>15 Q Your -- your entity?</p> <p>16 A Yes.</p> <p>17 Q RAK Main Street Associates?</p> <p>18 A Main Place Associates, yes.</p> <p>19 Q Main Place Associates, I'm sorry.</p> <p>20 And how much did you pay for the</p> <p>21 abatement work?</p> <p>22 A I don't remember a total amount.</p> <p>23 Q Could you give me your best judgment on</p> <p>24 the amount?</p> <p>25 MR. ANDERSON: Object to the</p>	<p>1 A Yes, I think so.</p> <p>2 Q Did you participate in meetings with</p> <p>3 MISTX and Sigma with respect to the scope of work for the</p> <p>4 abatement?</p> <p>5 A No.</p> <p>6 Q Okay. Who handled that on your end?</p> <p>7 A Seth Schochet.</p> <p>8 Q Schochet, okay.</p> <p>9 Is it your understanding that MISTX and</p> <p>10 Sigma ultimately agreed on the scope of work for the</p> <p>11 abatement?</p> <p>12 A Yes.</p> <p>13 MR. ANDERSON: Object to the</p> <p>14 form.</p> <p>15 Q Now -- and what's that understanding</p> <p>16 based on?</p> <p>17 A We worked together to do the work; the</p> <p>18 work is completed.</p> <p>19 MR. ANDERSON: Object to the</p> <p>20 responsiveness.</p> <p>21 Q Do you recall when the -- strike that.</p> <p>22 When was the abatement work completed,</p> <p>23 sir?</p> <p>24 A I think two or three weeks ago.</p> <p>25 Q Okay. Did any issues come up during the</p>
Page 51	Page 53
<p>1 form.</p> <p>2 A Approximately \$650,000.</p> <p>3 Q Does that \$650,000 include the monies</p> <p>4 that you paid to your consultants?</p> <p>5 A Yes, it does.</p> <p>6 MR. ANDERSON: Object to the</p> <p>7 form.</p> <p>8 Q Okay. Well, tell me what comprises the</p> <p>9 six hundred -- approximate \$650,000 amount.</p> <p>10 A The abatement and the consultant.</p> <p>11 Q Okay. And who was your consultant?</p> <p>12 A Sigma contract -- Sigma.</p> <p>13 Q And was Sigma involved in coming up with</p> <p>14 the scope of work for the abatement?</p> <p>15 A Yes.</p> <p>16 Q Did you defer to Sigma on the scope of</p> <p>17 work for the abatement?</p> <p>18 A Yes.</p> <p>19 MR. ANDERSON: Object to the</p> <p>20 form.</p> <p>21 Q And who -- who did Sigma work with in</p> <p>22 connection with the scope of work on the bank's -- on the</p> <p>23 bank's side?</p> <p>24 A MISTX.</p> <p>25 Q Okay. Is that M-I-S-T-X?</p>	<p>1 abatement process, any problems?</p> <p>2 A None that I know of.</p> <p>3 Q Has the bank voiced any concerns to you</p> <p>4 about the abatement?</p> <p>5 A No.</p> <p>6 Q Has the bank continued to pay their rent,</p> <p>7 sir?</p> <p>8 A Yes.</p> <p>9 Q Did the bank during -- during your -- the</p> <p>10 time you were communicating with the Worrells ever offset</p> <p>11 against rent that was due under the lease?</p> <p>12 A No.</p> <p>13 Q Has the bank ever done that?</p> <p>14 A No.</p> <p>15 Q Did the Worrells ever instruct you not to</p> <p>16 communicate with the bank?</p> <p>17 A I don't recall.</p> <p>18 Q Did the Worrells ever object to your</p> <p>19 direct communications with the bank?</p> <p>20 A I don't remember that.</p> <p>21 Q How long did it take you and the bank to</p> <p>22 negotiate the scope of work for the abatement?</p> <p>23 A I don't recall.</p> <p>24 Q Okay. Would you agree that it took</p> <p>25 several months?</p>

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<p>1 MR. ANDERSON: Object to the 2 form. 3 A I don't recall. 4 Q You don't recall, okay. 5 Now, you testified earlier that you 6 didn't think there were any issues with respect to the 7 environmental condition of the One Main Place building? 8 A Correct. 9 Q And you still believe that today? 10 A Yes, I do. 11 Q Can you -- can you explain to us, then, 12 why you ultimately agreed to abate under the -- under the 13 scope of work that was agreed upon? 14 A I think that after the continued 15 harassment by the Worrells and the bank we just wanted to 16 end the so-called fight. And while we didn't believe 17 that anything within those units were causing an issue, 18 we decided okay, let's just -- as part of cleaning the 19 units let's get it out of there. 20 MR. DANIEL: I'll pass the 21 witness. Thank you, Mr. Kohana. 22 THE WITNESS: I'm going to take 23 a break. 24 MR. ANDERSON: Okay. 25 THE VIDEOGRAPHER: Off the</p>	<p>1 Q Mr. Kohana, my name is Ted Anderson. I 2 represent the plaintiff in the case, Cambridge 3 Consulting. I've got some questions that I'd like to ask 4 to you, sir. Do you realize that you're still under 5 oath, sir? 6 A Correct. 7 Q Mr. Kohana, did you have an opportunity 8 to meet with the attorneys for the bank prior to giving 9 your deposition today? 10 A No. 11 Q Okay. Have you ever given your 12 deposition before, sir? 13 A Yes. 14 Q On how many occasions? 15 A I don't remember. Very few. 16 Q Have you been -- did it have anything to 17 do with litigation over a landlord-tenant dispute? 18 A No. 19 Q Okay. I want to pick up on some of the 20 questions that Mr. Daniel asked you and I guess I'm going 21 to kind of go in reverse order. It's my understanding, 22 sir, that the bank agreed to pay for -- I'm sorry, strike 23 that. 24 The landlord, you, agreed to pay for an 25 abatement that you did not think needed to be done; is</p>
Page 55	Page 57
<p>1 record. 10 -- 2 MR. ANDERSON: Let's go off the 3 record and then I want to talk to you 4 guys about the exhibits that 5 hopefully are there by now. 6 THE VIDEOGRAPHER: Off the 7 record. 10:43 a.m. This is the end 8 of disc one in the deposition of 9 Randy Kohana. 10 (Unidentified document was 11 marked as Exhibit 20 for 12 identification, as of this date.) 13 (Whereupon, at 10:43 o'clock 14 a.m., a recess was taken to 11:06 15 a.m.) 16 (The deposition resumed with 17 all parties present.) 18 THE VIDEOGRAPHER: Going back on 19 the record at 11:06 a.m. This is the 20 beginning of disc -- disc two in the 21 deposition of Randy Kohana. Okay. 22 R A N D Y K O H A N A, resumed and testified further 23 as follows: 24 EXAMINATION 25 BY MR. ANDERSON:</p>	<p>1 that correct? 2 A The landlord -- yes, in regard to the 3 landlord; yes. 4 Q Okay. And it is your position that 5 nothing should have been done anyway? 6 A My understanding is nothing needed to be 7 done. 8 Q Okay. And was that always your position, 9 sir? 10 A Yes, it was. 11 Q And is it true, sir, that you would not 12 have incurred that cost at all except for the alleged 13 harassment from the Worrells? 14 A I think you need to be more specific than 15 that. 16 Q Okay. Well, I -- I thought that it was 17 your testimony, sir, that because of the harass -- the 18 alleged harassment from Cambridge Consulting and from the 19 bank the landlord agreed to incur the \$650,000 in costs 20 to -- to abate the premises; is that correct? 21 A Yes; but the units also needed 22 maintenance. 23 Q So that -- so you agree that the units -- 24 that the units did need maintenance? 25 A I think they needed their normal</p>

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<p>1 Q And what is it that made you decide that 2 you didn't need an estoppel letter? 3 A Nothing in particular. 4 Q Before, Mr. Daniel asked some questions 5 about your demand that you no longer have anything -- any 6 communications with the Worrells; do you recall that, 7 sir? 8 A Yes. 9 Q Do you recall whether or not the bank 10 stated that you -- you need to continue to work with them 11 notwithstanding your demand? 12 A There was something said, I don't 13 remember what it was. 14 Q But you do recall that the bank wanted 15 you to continue to deal with the Worrells even though you 16 no -- wanted nothing further to do with them? 17 A I remember something to that effect but 18 we -- we never had anything to do with them afterwards. 19 Q Okay. So the bank did say that you 20 wanted -- they wanted you to continue to deal with them? 21 A The bank said they'd continue to be their 22 consultants. 23 Q Okay. Did they say that they wanted you 24 to continue to -- to work with them? 25 A I don't remember. It didn't matter, we</p>	<p>1 of Bank of America on or about April 9, 2010? 2 A I believe so. 3 Q Here it says, "Randy, once again, thank 4 you for your letter. I still expect you to give CRC your 5 full cooperation as you promised." Is that true? 6 A That was before the letter I sent saying 7 we wouldn't deal with them anymore. 8 Q Okay. Let's take a look here. All 9 right. Do you have Exhibit 11 there, sir? 10 A I'll get it. Yes, I do. 11 Q All right. And if you look -- this is 12 the April -- this is dated what date, sir? 13 A April 6th. 14 Q Okay. So this is April 6th and do you 15 recall Mr. Daniel asked you some questions about the 16 second-to-last paragraph of the April 6, 2010, letter 17 from you to David Sudderth? 18 A Yes, I do remember that. 19 Q And it says in this April 6, 2010, letter 20 that -- in the second-to-last paragraph, "At this point 21 as landlord we will not have any more contact with the 22 Worrells. They are not to contact us or any of our 23 employees including without limitation via e-mail, 24 regular mail and/or telephone. We will be happy to 25 communicate directly with the Bank of America employees."</p>
Page 71	Page 73
<p>1 weren't going to. 2 MR. ANDERSON: Object to the 3 responsiveness. 4 MS. FARINA: No, I believe he 5 answered your question. 6 MR. ANDERSON: Who's talking? 7 MS. FARINA: Gabrielle Farina, 8 his counsel. 9 (David Sudderth's e-mail, 10 4/9/10, was previously marked as 11 Exhibit 21 for identification, as of 12 this date.) 13 BY MR. ANDERSON: 14 Q Look at Exhibit -- what's been marked as 15 Exhibit 21, sir (handing). 16 A (Perusing document.) Okay. 17 MR. DANIEL: What is that? 18 THE WITNESS: 21. 19 MR. ANDERSON: It is an e-mail 20 from David Sudderth to Randy Kohana 21 dated April the 9th of 2010. 22 MR. DANIEL: Okay. 23 A I see it. 24 Q Okay. Is Exhibit 21 a true and correct 25 copy of an e-mail that you received from David Sudderth</p>	<p>1 Do you see that, sir? 2 A Yes, I do. 3 Q All right. So does that change your 4 testimony as to whether or not you made that request 5 prior to or after you received this e-mail from 6 David Sudderth which is Exhibit 21 dated April 9, 2010? 7 A Let me be clear, at some point previous 8 to April 6th, I don't remember whether it was a letter or 9 a phone call, I told Dave that I would cooperate with 10 CRC. I never did after the fact so he was -- I'm sure 11 what he was alluding to was something that I had 12 discussed pre the April 6th letter. 13 Q Right. And then you in your April 6th 14 letter stated in writing that you would have nothing to 15 do with CRC, right? 16 A That's correct. 17 Q And then on April the 9th in Exhibit 21 18 Bank of America stated to you "once again, thank you for 19 your letter. I still expect you to give CRC your full 20 cooperation as you promised," right? 21 A Yes. I see that. 22 Q And then in the third paragraph of 23 Exhibit 21 it says, "I do not believe we have anything to 24 discuss nor do I see the purpose in meeting one-on-one 25 prior to the conclusion of these inspections. An offer</p>

C E R T I F I C A T E

STATE OF NEW YORK)

) ss.

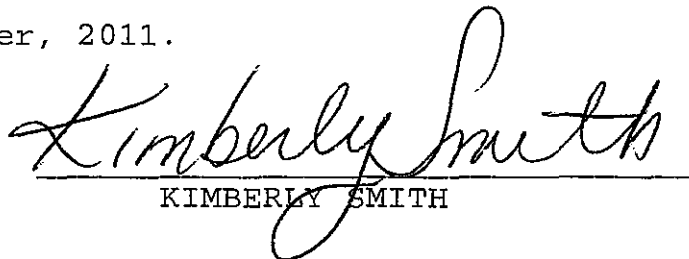
COUNTY OF NEW YORK)

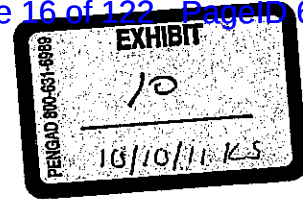
I, KIMBERLY SMITH, a

Shorthand (Stenotype) Reporter and
Notary Public of the State of New
York, do hereby certify that the
foregoing Deposition, of the
witness, RANDY KOHANA, taken at the
time and place aforesaid, is a true
and correct transcription of my
shorthand notes.

I further certify that I am
neither counsel for nor related to
any party to said action, nor in any
wise interested in the result or
outcome thereof.

IN WITNESS WHEREOF, I have
hereunto set my hand this day of
October, 2011.


KIMBERLY SMITH



From: Randy Kohana [rkohana@rakgroup.com]
Sent: Thursday, March 25, 2010 1:14 AM
To: david.l.sudderth@bankofamerica.com
Cc: dworrell@att.net
Subject: Bank of America - One Main Place
Attachments: Letter to Bank of America.3.24.10.pdf; OMP - Emails.pdf; OMP Status Letter.pdf; HVAC Limited Testing report.pdf; OMP- Sigma Certificate of Completion.pdf; BofA Work Orders 2009.pdf; Fan Coil Unit Maintenance Procedures.pdf

Dave:

As promised.

Randy

Randy Kohana
Chief Executive Officer
RAK Group LLC
270 Lafayette Street
New York, NY 10012
(212) 245-1601 (Tel)
(212) 245-7001 (Fax)
RKohana@rakgroup.com
www.rakgroup.com

*PLEASE NOTE OUR NEW ADDRESS ABOVE.

RAK

VIA E-MAIL AND FEDEX

March 24, 2010

Mr. David L. Sudderth
Transaction Director
Bank of America
Bank of America Corporate Workplace
35 North Greenvine Circle
The Woodlands, Texas 77382

Re: Lease Between RAK Main Place Associates L.P., as successor to RREEF USA Fund-II, as "Landlord" and Bank of America, N.A., as successor to NationsBank of Texas, as "Tenant," dated May 1, 1995, as amended (the "Lease"), for premises located at One Main Place, 1201 Main Street, Dallas, TX (the "Building")

Dear Dave:

We have been the Bank of America ("Bank") Landlord for 12 years now. We have been through two lease extensions (one just over 2 years ago) and have always gone out of our way to keep the Bank happy.

You and I have always had a cordial and professional relationship and I know of no circumstance where we did not come to a professional resolution. As an aside, I will respond to your e-mail of today, tomorrow.

In March 2009, we became aware of the Bank's interest in subleasing three floors and now the Bank is looking to sublet six floors of unneeded space and as such brought in Corporate Risk Consultants ("CRC").

Since CRC was commissioned by the Bank, we have endured outrageous claims and comments to our building reputation, procedures, operations and past service to the Bank. It is obvious through telephone calls and e-mails (see attached) that the modus operandi of CRC was to create an atmosphere of fear, litigation, government intervention, and a threat of early lease termination in 2014 as a way to force a buyout of your six floor obligation and then provide us with a "clean estoppel" while "quickly and quietly" forgetting all the other alleged claims among other comments. We feel this is a form of harassment. We do not want to entertain a buyout of the lease and do not at this time need an estoppel from the Bank. In the event we do, we will request one in accordance with the terms of the Lease.

That all being said we will address all issues raised with a methodical response to all.

Asbestos

We have been accused of not following our O & M procedures and being in non-compliance with OSHA requirements among other fallacious comments (see email dated March 19, 2010). In addition, the IAQ Testing prepared by Maxim Technologies Inc., dated April 18, 2001 which CRC said was not available was and is available for Todd to review (found subsequent to Todd Ratliff's conversation with Seth Schochet but prior to Todd's actual review of any of the environmental reports) and was with the rest of the reports Todd reviewed.

Mr. David L. Sudderth
March 24, 2010
Page 2

R A K

We have enclosed a letter from Sigma Environmental Solutions, Inc. ("Sigma") which documents all procedures followed pertaining to the Banks ACM abatement procedures per the 11th amendment to lease. We obviously have complied with all federal and state requirements.

In reference to the window HVAC units, which have been commented on quite a bit (See e-mail dated March 19, 2010 "what is going on inside those HVAC units"), there is a friable foam insulation in the enclosed unit. The insulation has been tested by EFI Global (Tenant's contractor) and just recently been retested by Sigma. The results were NEGATIVE for asbestos. There is also mastic and some pipe wrap associated with the HVAC units that are extremely non-friable, poses no health risk and does not need to be removed (see Sigma report). Additionally, the Bank accepted possession of all renovated floors per the asbestos removal done on all now occupied floors (see actual certificates of completion enclosed). I assure you there was not an issue since EFI Global and CBRE did not mention it.

In terms of the "As-Is" language in the 11th amendment regarding the HVAC perimeter units, that was meant to mean that the perimeter units were not to be replaced. If they were to be replaced, the mastic and pipe wrap would have been abated, if necessary, along with putting in the new units. We have always been ready, willing and able to implement all ACM abatement on all non-abated floors per Exhibit B to the 11th amendment to lease. One of the 6 floors the Bank is looking to sublet (31st floor) has already been demolished and the ACM abatement was completed which demonstrates the success of our program.

HVAC Maintenance

It is obvious and agreed that all perimeter HVAC units need to be in good working order and be free of any leaks or mold accumulation. We have a commercially reasonable list of procedures to apply on every unit as serviced (List is attached). If you or your consultants have any questions, comments or additions to that list we would be more than happy to work out a protocol that works for all parties.

We have recently performed maintenance on the perimeter HVAC units on floors 12 & 28 and are currently performing maintenance on the units on the 31st floor with all other floors to follow. The maintenance takes about a week and a half to two weeks per floor to complete. Mike Horstman will coordinate the schedule with the appropriate Bank or CBRE representative. We stopped maintenance on the six unoccupied floors due to imminent demolition pursuant to building plans received by Landlord but we will now include such floors into our routine maintenance.

Roof Leaks

Sometimes upon massive rains there are roof leaks, as with all buildings, sometimes other unforeseen events happen. Each time we respond immediately and fix the problem.

We have inspected the roof and it is in good condition. Recently a water pump broke and there was excess water from a Trane annual inspection of the chiller units. This can happen in any building. We will do our best to minimize these types of occurrences.

Additionally, as a reminder, the Bank commissioned a full MEP and building condition report prior to signing the 11th Amendment to Lease (which we paid for) which was pursuant to section 20 of the 11th amendment to Lease. There were a number of issues discussed and ultimately agreed on that were to be performed and paid for by the Landlord. This included sprinkler work, electrical panel work and ACM abatement. All have been done correctly per the Lease. There was NO mention of roof problems, HVAC maintenance issues or work order non compliance.

Mr. David L. Sudderth
March 24, 2010
Page 3

R A K

Leaks in General

As you know leaks can happen anytime in any building. We have been accused of causing leaks and having those leaks turn into a mold condition.

While a couple may have been from the outside window line, the majority have been from floors above which coincidentally are the Bank's recently renovated floors. We have now replaced all ceiling tiles on all of the unoccupied floors and have had our environmental consultant, Sigma (see report) inspect for mold. There was NONE found. Additionally, NO leaks have been discovered once the damaged tiles were replaced with the exception of below.

The empty floors had not been walked by Bank personnel for many months and up to a year on some. This is also what has led to some of the problems. In fact, if Mike Horstman hadn't walked the 28th floor yesterday or an engineer on the 7th floor on March 16, 2010, 2 of the floors you are looking to sublet, (see e-mails) a mold condition could have begun because of leaks coming directly from the Bank's spaces. You can speak with Larry Williams of CBRE for confirmation.

Work Orders

Pursuant to the most recent CRC E-mail (March 22, 2010) we have received over 2 calls a day to our management office. While we would like there to be zero this is within the normal range for the size of your tenancy.

Along with the latest threatening "we will terminate the lease in 2014" language we received a spreadsheet along with the e-mail and have responded to each and every line item as we have a record of each complaint and its resolution. In 2009, there was approximately 1 work order per day of which approximately 56% were ordinary day to day issues but a good amount are complaints regarding various other issues such as construction related and after hour calls. We have attached comments specific to each and every complaint. 2008 will follow shortly. I think you will realize that all work orders are acted on and resolved quickly. We are happy to work together to make this normal occurrence the minimum it can be.

Lighting and Safety Issues

The safety of everyone that walks into One Main Place is of paramount importance to us let alone the Bank's employees. To allude to something less is fallacious.

Sometimes ballasts do blow, rarely do they smoke. Either way, they are in compliance with applicable laws in their current condition under the law and do not need to be replaced unless broken. If so we replace with an electronic ballast. Our electrical consultants Schmidt and Stacy have sent us a letter (see attached) to that effect and to the safety of the current lighting fixtures.

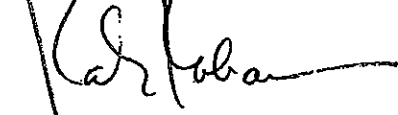
In summary, this letter, e-mail writing and voicemails have gotten out of hand so we wanted to answer everything globally with specific backup for each misguided comment made to date. We want to do as we have always done to keep the Bank happy and to do everything possible within the confines of the lease to allow for the enjoyment of your continued occupancy.

Mr. David L. Sudderth
March 24, 2010
Page 4

RAK

I am more than willing to discuss any further issues you might have or need additional backup for. We are committed as always to provide the Bank with the excellent service we have always furnished. Additionally, Seth Schochet and I are more than willing to come to Dallas to meet with you to go over any open or to be discussed issues.

Very truly yours,
RAK MAIN PLACE ASSOCIATES, LP,
a Delaware limited partnership
By: RAK Main Ventures L.P., a Texas
limited partnership, its general partner
By: RAK Ventures Corp., a Texas
corporation, its general partner



Randy Kohana
President

cc: David Worrell

Randy Kohana

From: John Worrell [johnw.crc@gmail.com]
Sent: Friday, March 19, 2010 5:59 PM
To: Seth Schochet; Randy Kohana
Subject: OMP Status

Randy/Seth:

BAC's patience is at an end waiting for you to make some effort at addressing these serious and growing problems. To date you've only offered denial in the face of overwhelming evidence as documented by Texas certified inspectors.

I know you are talking with David but I can't stop doing my job. I can't wait to see how your talks go with David and from what I understand they are going nowhere anyway.

My number one issue right now is our concern over the threat of asbestos. Until I get this issue addressed FIRST nothing else can move forward for me.

We still have not received and demand access to all Environmental Reports. The IAQ Testing prepared by Maxim Technologies, Inc. was listed in the lease but Todd didn't receive that report. I assume this is an internal air quality report and thus quite important even though it is quite dated. Also, there is an Asbestos Activity Log, OSHA 29CFR1926.1101(n), as identified in section 6.4.2 of the TERRA-MAR Asbestos Operations & Maintenance Procedures dated 05/30/1997 that we need to review. We also need to see and review the 'Asbestos File' referenced in section 6.4.3 of the same O&M (this is a permanent, active file of detailed documentation concerning asbestos activity). We need immediate access to these documents as our concern was raised because each of the Environmental Reports were qualified by the disclaimer that they were only permitted to conduct 'limited visual surveys' and specifically did not inspect less accessible areas of the building. They also noted in some cases they were not allowed to collect samples of known and suspect ACMs and had to rely on past testing that was also noted as gathered during a 'limited visual survey' so they couldn't validate their findings. In the Phase I Environmental Site Assessment prepared by Eckland Consultants Inc. and dated 02/27/1998, Eckland specifically warned RAK that "OSHA requires untested material to be presumed asbestos containing if the building was constructed before 1981". Finally, in 1997 TERRA-MAR specifically advised RAK that: "TMI recommends a comprehensive building area survey *prior to any renovation and or demolition activity* to accurately determine the type and extent of ACM."

When we add all this together – our own inspections discovered a great deal of ACM, your 'limited visual surveys' plus specific instruction noted in the reports that your inspectors were not permitted to gather and test known and suspected ACM plus notice from your inspectors that OMP must treat all untested material as presumed ACM given the age of OMP (advice that RAK did not follow) plus the direct recommendation from your inspectors that a comprehensive building area survey be conducted prior to renovation is conducted (again, advice that RAK didn't follow) – I remain unable to sign off on my 'safe to sublease' mandate.

I spoke to Dave Stoddard at the OSHA Texas headquarters in Austin. I did not yet mention company names or the property. He introduced me to Richard Hensley who is the Team Manager Dallas Area for these inspections.

I am in the process of packaging all of our inspection results which will take a few days before I can forward this to OSHA and the inspection can begin. You need to call Richard at 409-899-5589 extension 700 first to set up a time for a comprehensive building area survey. You've maintained from the start OMP is already in total compliance so there is no reason not to do this.

I am currently going through a massive spreadsheet listing every maintenance request on all BAC floors that I am sure you will find revealing as it clearly documents a long and consistent pattern of HVAC, lighting, as well as rain-event related water intrusion issues. I will send you specifics over the weekend.

Randy, to date you've done a lot of talking but not taken any measurable actions I can show BAC as progress. Since you won't help me get these issues resolved my recommendations to BAC are as follows:

- BAC will exercise the termination option to leave the entire building at the end of 2014.
- Through 2014, BAC will persistently demand that RAK perform to the highest standards under the lease. If RAK doesn't BAC will do it themselves in a first class manner as per the lease and then deduct the cost from rent also as per the lease. We've already got Brandt scheduled for a follow up behind your current repair and maintenance efforts on the HVAC because there is reasonable concern RAK is going to handle this maintenance in the same shoddy and health hazardous manner as you have in the past and not to a first class level as required by the lease. The necessity to audit all RAK R&M actions going forward through 2014 will become the new normal.
- BAC is bringing in its full team of inspectors as coordinated by BAC's Environmental Service division to work with OSHA for a full building inspection. We expect your cooperation in gaining access to all floors. As you already know, CBRE is scheduling a roof inspection and we will need an up-to-date internal air quality inspection done right away as the last one (the missing IAQ report) was done in 1997 and the standards have since changed.
- BAC is legally bound to update a full disclosure in the Estoppel that notes BAC's intent to exercise the full Premises termination option and exit at the end of 2014 due to environmental hazard and health concerns as compounded by the history of RAK negligent maintenance as documented by Texas certified third party inspectors.

David told me you were still in strong disagreement with Todd Ratliff's letters. Let me assure you that Todd writes nothing unless and until it has passed legal's eyes and approval. Any letter RAK has received from Ratliff was blessed by BAC's legal department as defensible. Let me be clear, Todd is not a loose cannon if that's what you are thinking. He has the full backing of BAC legal – both corporate and local. I know because I was a party to those conferences.

We understand your main arguments rest on AS-IS acceptance of the Premises and a presumed intention that BAC would build out these remaining floors to some undefined level. 'Premises' is defined in the lease as net rentable square footage and what is going on inside those HVAC window units is certainly not that, neither in the lease's definition nor according to ANSI-BOMA standards, so while BAC accepted the Premises AS-IS, they did not accept those HVAC units and what is inside them AS-IS. BAC has completed its initial build out efforts on these floors and can contemplate no further work unless and until the asbestos issues are resolved as per TERRA-MAR's advice.

The opportunity to quickly and quietly diffuse this situation in a way that works for everyone before it blows into a broader dispute over OMP as suffering from 'sick building syndrome' is about to evaporate. We're running out of time here.

We expect you to schedule an immediate, building-wide OSHA inspection. If you can't or won't do this then we will.

I will call you early next week to schedule access for OSHA and BAC Environmental Services along with our other inspectors to conduct these necessary additional surveys.

Regards,

John

Randy Kohana

From: David Worrell [dworrell@att.net]
Sent: Tuesday, March 16, 2010 4:22 PM
To: Randy Kohana
Subject: Bank of America

It is imperative we speak as soon as possible. I have till Friday to either work something out with you or BAC's environmental group and attorneys take it over themselves. That outcome is obvious – and it is not 5 years out. It is 5 weeks out.

Cambridge Consulting Group Inc.

David Worrell

678-488-2504

678-456-8118

dworrell@att.net

Seth Schochet

From: John Worrell [johnw.crc@gmail.com]
Sent: Wednesday, December 30, 2009 1:16 PM
To: Seth Schochet
Subject: OMP/BAC
Attachments: 4_100_0677.jpg

Seth,

I appreciate your time this week and your help keeping BAC a happy tenant at OMP - the main goal for both of us.

Here's the gist of what I'm dealing with and the reason for my sense of urgency:

On floors 4, 6, 7, 12, and 28 many of the lighting fixtures are in fact fire hazards because as we did our inspection we would turn on lights and they would sizzle and pop and smoke would pour out. Obviously this scared the heck out of us. At one point I even went down to the security desk to warn them and they were surprisingly indifferent telling me not to worry about it. I can tell you honestly that I do worry about it because any cleaning or security person could accidentally start a fire just by turning on a light.

Two places I can pinpoint for you include the 12th floor pantry room and the 28th floor space just outside the back door to the pantry room. The 12th floor blown ballast and smoke is pictured in the book I left with you (pix also attached). On the 28th floor there were at least two fixtures that blew when I turned them on. On every floor we inspected we learned to be careful turning on lights - waiting and listening carefully in case we needed to turn off power fast. We had to turn off power fast on every floor at least once so our concern is that this issue is systemic.

What we need to do is first agree who is responsible for repair and maintenance of the lighting fixtures. I hear you that RAK's expectation (intent was the word you used) was for BAC to build out these floors but we had legal go over the lease, exhibits and amendments and it is clear to us that a) BAC has no obligation or mandate under the lease to build out those floors and b) RAK retains as Landlord the obligation for R&M of the HVAC and lighting, etc. whether or not BAC builds out the spaces. Someone has to be responsible for ongoing R&M and as best we can see it is RAK.

Also - in the original lease section 3b, page 9 states that "All replacement lighting tubes required through normal office usage in Building standard fixtures in the Premises will be furnished and installed by or at the Landlord's expense." Nowhere in any subsequent amendment is this paragraph nullified or replaced so we have to assume it remains in effect. Obviously we wouldn't want you to replace all of the missing and dead bulbs (and there are a ton of them) before the lighting fixtures were properly maintained as they would most likely just blow the good bulbs and throw away a lot of your money. But once the fixtures are addressed we will need all of the bulbs that are down replaced ASAP so we can begin to show the space for sublease (after we address the remaining issues on my list).

When you are ready I can show you the chapter/verse of the original lease (which remains in effect regarding HVAC and Lighting R&M) and the 11th amendment explaining how we read it and hopefully you can show us how you see it and we can reach an understanding because I am sure you will agree that nobody wants to risk a fire through delay. That's the good thing about a

3/17/2010

App. 202

CAMBRIDGE 024802

lease - we can always go back to it and see exactly what was agreed to so we should be able to figure this out quickly.

Thanks again for chatting with me on your vacation - I really do appreciate it. I'm available until 5 pm ET tomorrow and then from Saturday on whenever you are ready to review.

If we don't speak before have a Happy New Year!

John Worrell
404-840-6475

PS - If you send this to Mike and his people find something to address please let me know first before they do anything so I can coordinate with CBRE - I don't want to be accused of doing an end run on them and will need to get a formal request submitted through them before RAK does anything. Thanks.

3/17/2010

App. 203

CAMBRIDGE 021800

Randy Kohana

From: John Worrell [johnw.crc@gmail.com]
Sent: Tuesday, March 09, 2010 4:16 PM
To: Randy Kohana
Subject: Re: please call me

Randy,

As mentioned I am booked out today and cannot get away this time. If you can please mail the asbestos report you told me about (preferably for the 6th floor but for a remodelled floor if not). Address below.

FYI - my brother is returning from meetings in Charlotte this afternoon and he should be contacting you today.

John

12020 Leeward Walk Circle
Alpharetta, GA 30005

On Tue, Mar 9, 2010 at 12:38 PM, Randy Kohana <rkohana@rakgroup.com> wrote:

Randy Kohana

Chief Executive Officer

RAK Group LLC

270 Lafayette Street

New York, NY 10012

(212) 245-1601 (Tel)

(212) 245-7001 (Fax)

RKohana@rakgroup.com

www.rakgroup.com

***PLEASE NOTE OUR NEW ADDRESS ABOVE.**

Seth Schochet

From: John Worrell [johnw.crc@gmail.com]
Sent: Monday, February 01, 2010 4:34 PM
To: Seth Schochet
Subject: OMP
Attachments: BrandtElectricalReport.doc

Seth,

I overnighted you a CD with photos and reports from the HVAC inspection. I'm attaching their electrical/lighting inspection for 2 floors that I forgot to include.

I'm in bank meetings all day today but we need to talk ASAP. Crowded day tomorrow too but I need to review with you before I have to review with the bank.

The HVAC inspection turned up some things that are going to make my job very hard if we don't spin this right.

I sent you all the photos and inspection sheets on a DVD_ROM. Brandt Mechanical tested the entire 6th floor (fully occupied so we would have valid data and not just idle units) plus some sampling on other floors to cross validate. Please scan through all of them as soon as you can.

I am very concerned this is going to arm those within the bank that are pushing for early relocation against our advice. We have to figure out a solution or this is going to be taken from me. Please also review the lease and admendments. We can't afford anymore time arguing over who is and is not responsible for what. We have to agree on that this week. I've got my notes ready and will send them before we meet regarding the relevant sections of the lease as we see them. I need you to educate me where I am seeing things wrong if that is the case. At the very least we have to know where we agree to disagree. I can't report back with vagueness any longer.

Tomorrow is going to be real hard to find the time. Maybe Wed morning is better. I am open before noon Wed but will have to come up with a reason to punt my status report to the bank tomorrow.

Let me know if Wed morning is open please.

John
404-840-6475

3/17/2010

App. 205

CAMBRIDGE 024811



BRANDT

January 26, 2010

Todd Ratliff
Bank of America
1201 Main Street
18th Floor
Dallas, TX, 75202

**SUBJECT: IDENTIFICATION OF ELECTRICAL FUNCTIONALITY AND SAFETY AT
1201 MAIN ST, DALLAS, TX.**

The following is a list of electrical issues found during our survey of the 12th and 28th floors at 1201 Main St in Dallas, TX. Though we did not formally review the 4th, 6th, or 7th floors, we feel that similar issues may likely exist there, as well.

Our recommended service will be listed to the side coded as follows:

RL = Replace Lamps
RB = Replace Ballasts
FIN = Further Investigation Needed
RC = Replace Lens/Cover
RF = Replace Fixture
RS = Replace Sockets
RR = Replace Receptacle

A sequence of events may take place to fix the situation. If the first step in the sequence fixes the problem, then subsequent steps may not be required. Notated as such Step1-Step2-Step3-etc

12th Floor

- Exit sign by men's restroom blinks (RF)
- 2 X 2 light in men's restroom is out (RL-RB-FIN)
- **Men's Restroom**
- 2 lamps 4' T8 needs ballast – Other ones have T12 lamps (RL-RB-FIN)
- Receptacle under the sink has no cover plate, not GFCI. (RR w/ GFCI)
- 65 watt 130V flood light needs bulb over 1st sink (RL-FIN)
- Broken glass lens over urinals (RC)
- **Women's Restroom**
- 5 lights no lens covers (2 lamps 1'X4' lights) (RC)
- 3 fluorescent sockets broken (2 lamps 1'X4' lights) (RS)
- 3 lights out (2 lamps 1'X4' lights) (RL-RB-FIN)
- 2 lights half on (2 lamps 1'X4' lights) (RL-RB-FIN)

AUSTIN
1100 Commerce Dr., Suite 575
Austin, TX 78741
512.491.9100
TACLA 27629C
TECL 20109

DALLAS
11245 Indian Trail
Dallas, TX 75229
972.241.9411
TACLA 000469C
TECL 20109

FORT WORTH
2502 Gravel Drive
Fort Worth, TX 76118
817.626.0033
TACLA 20707E
TECL 20109

SAN ANTONIO
6023 Corridor Pkwy., Suite 100
Schertz, TX 78154
210.599.6120
TACLA 000745C
TECL 20109

WACO
1100 Jewell Drive
Waco, TX 76712
254.772.1693
TACLA 000430C
TECL 20109



BRANDT

- 1 recessed light needs 65W 130V flood lamp (RL-FIN)
- Receptacle under sink not GFCI (RR w/ GFCI)
- **Open Areas**
- No power to floor plugs (whole floor) (FIN)
- Wall plugs are good
- 66 lights have power but not working (RL-RB-FIN)
- 232 lights only 2 out of 4 lamps working (RL-RB-FIN)
- NW corner – 12 lights without power (FIN)
- North end West side – 5 lights have no power (FIN)
- SE corner – 4 lights have no power (FIN)
- 12 lights have broken or missing lenses (RC)
- **Server/Raised Floor Room**
- Needs 2 – 3X4' T8 lamps (RL-RB-FIN)
- PDU is missing cover by main breakers. (RC)
- **Janitor's Closet**
- 1 – 4' T12 lamp is out (RL-RB-FIN)
- **IT Room**
- 6 – 2' T12 lamps needed (RL-RB-FIN)
- 1 – 2X2 Lens required (RC)

28th Floor

- **Main Areas**
- 19 lights out (with power on) (RL-RB-FIN)
- 324 lights ½ out (2 lamps working) (RL-RB-FIN)
- NE corner 20 lights have no power to them (FIN)
- 1 exit sign is out (FIN-RF)
- **Women's Restroom**
- 11 globe incandescent lamps are out (RL-FIN)
- **Janitor's Closet**
- Need 1 – T12X4' Lamp (RL-RB-FIN)
- **Copy/Fax Room**
- Light open, wire hanging, switch does not shut power off (FIN)

Thank you for the opportunity to work with you. We look forward to any future requests you may have.

Sincerely,
Tommy Kilman
 Account Development
 Brandt Engineering
 Office: 972.395.6098
 Mobile: 214.769.0057

AUSTIN
 1111 Commerce Dr., Suite 575
 Austin, TX 78741
 512.491.9100
 TACLA 27629C
 TECL 20109

DALLAS
 11245 Indian Trail
 Dallas, TX 75229
 972.241.9411
 TACLA 000468C
 TECL 20109

FORT WORTH
 2502 Gravel Drive
 Fort Worth, TX 76118
 817.626.0033
 TACLA 20707E
 TECL 20109

SAN ANTONIO
 6023 Corridor Pkwy., Suite 100
 Schertz, TX 78154
 210.589.6120
 TACLA 000745C
 TECL 20109

WACO
 1100 Jewell Drive
 Waco, TX 76712
 254.772.1693
 TACLA 000430C
 TECL 20109



January 25, 2010

Bank of America
One Main Place
1201 Main Street
Dallas, Texas

Attention: John Worell

Proposal for repairs for chilled water fan coil units

We are pleased to offer this proposal to clean the coils and make necessary repairs on the 102 room fan coil units Brandt inspected. Following is our price per unit inspected and any additional accessible units at 1201 Main Street in Dallas, Texas.

Price per unit:

1. Blower assembly replacement per unit: \$766.45
2. Clean in place and re-insulate condensate pan per unit: \$1,301.16
3. Replace heat strip per unit: \$874.79
4. Replace T-Stat per unit: \$658.10

Exclusions:

1. All work to be done during normal work hours.
2. Repairs are contingent on water isolation valves operating.
3. This proposal does not include any repairs to water connections, valves and piping.
4. No work will be performed on any asbestos containing material.
5. The parts replacement is contingent on factory supplied parts being readily available.
6. Tax is not included in this proposal.

Sincerely,

Terry Green

Terry Green 817-542-8974

Accepted by: _____ on ____ / ____ / ____

Purchase Order No. _____

AUSTIN
1340 Airport Commerce Dr., Suite 575
Austin, TX 78741
512.491.9100

DALLAS
11245 Indian Trail
Dallas, TX 75229
972.241.9411

FORT WORTH
2502 Gravel Drive
Fort Worth, TX 76118
817.626.0033

SAN ANTONIO
6023 Corridor Pkwy., Suite 100
Schertz, TX 78154
210.599.6120

WACO
1100 Jewell Drive
Waco, TX 76712
254.772.1693

Seth,

We need to talk ASAP.

Before I have to review
this w/BAC. ^(Tue) We've got
a real problem here we need
to contain. I'm afraid
this is enough to take this
out of my hands and send
the bank packing 12-31-14.

4048406475

Seth Schochet

From: John Worrell [johnw.crc@gmail.com]
Sent: Thursday, February 11, 2010 5:49 PM
To: Seth Schochet
Subject: OMP Letter

Seth,

Last we spoke you and Randy were working up a letter for the bank stating the steps you were committed to taking regarding the lighting and HVAC unit maintenance. I told BAC this was in on the way over a week ago. I got cornered at a meeting today about it.

Can you please get with Randy and get us that letter ASAP so I can show Ratliff that we have at least some progress happening here?

Thanks in advance,

John
404-840-6475

3/17/2010

Seth Schochet

From: John Worrell [johnw.crc@gmail.com]

Sent: Thursday, February 18, 2010 7:23 PM

To: Seth Schochet; mh@rakgroup.com

Subject: Environmental Reports

Please be advised that Todd Ratliff from Bank of America is planning on stopping by the RAK office at OMP tomorrow afternoon to review the Environmental Reports referenced in the 11th Amendment to the Lease. Please make sure all of the reports are available. Please let me know ASAP if this will not be the case.

Seth - I sure would feel better if I could review these reports myself first without running the risk of my client asking a lot of questions about things I can't anticipate and that I would not otherwise need to include in my report but unless you can help me with that we'll just have to go this route and hope for the best.

3/17/2010

App. 211

CAMBRIDGE 024817

Seth Schochet

From: John Worrell [johnw.crc@gmail.com]
Sent: Monday, February 15, 2010 1:34 PM
To: Seth Schochet
Cc: todd.ratliff@bankofamerica.com
Subject: Re: One Main Place - Bank of America
Todd,

I needed to clarify a misstatement by RAK in their recent letter.

In the third paragraph they state, "Upon such inspection with Mr. Worrell, it was determined that no leaks existed and there is no problem with the HVAC system or structure of the Building causing any water intrusion."

This could easily be misread to assume I had endorsed their conclusion and that is not the case. In short, I did not agree that the HVAC units or structural issues with the building were not a problem and I am disappointed to have been painted in that way.

I needed to make certain you were not confused by RAK's statement regarding my conclusions which will be submitted in the formal report due by the end of this month.

John

On Fri, Feb 12, 2010 at 2:36 PM, Seth Schochet <sschochet@rakgroup.com> wrote:
Todd-

Please see the attached letter.

Seth Schochet
RAK Group LLC
270 Lafayette Street
New York, NY 10012
(212) 245-1601 (Tel)
(212) 245-7001 (Fax)
SSchochet@rakgroup.com
www.rakgroup.com

*PLEASE NOTE OUR NEW ADDRESS ABOVE.

3/17/2010

App. 212

CAMBRIDGE 024818

Seth Schochet

From: John Worrell [johnw.crc@gmail.com]

Sent: Monday, March 08, 2010 5:16 PM

To: Seth Schochet

Subject: OMP

Seth,

Todd got back to me with his notes on the Environmental Reports and we need to chat first thing in the morning. When are you and Randy available? I've got to wrap up my report this week - I'm already late - and asbestos has become a major issue.

I'm booked for the day starting at noon so hopefully before that.

3/17/2010

Randy Kohana

From: John Worrell [johnw.crc@gmail.com]
Sent: Monday, March 15, 2010 6:16 PM
To: Seth Schochet; Randy Kohana
Cc: dworrell@att.net
Subject: OMP Roof

Guys,

See below email. I'm trying to get a grip on this but it is getting out of hand. The Dallas big wigs who want to move West are using this and everything else as a 'why bother anymore' response to our efforts to make the bank happy and stay put. Every call I'm getting challenged more directly. If we don't figure this out soon we won't be able to convince Charlotte that reasonable OMP rent dollars are worth all the headaches and risk. The natives have started beating their drums.

Terry Howell was asked how many times RAK has been notified about this leak and Terry said probably 3 times in the last 5 months (he's new and started in October) but that he doesn't know how many times in the past before he got here. As a result I was just sent the last three years maintenance request logs (a monster spreadsheet) by CBRE and BAC asked me to go through it line by line and start documenting request patterns. It goes without saying that I really don't have time for this but I'm the gopher and that's my job.

I see from below that Sitemark has been tasked to set up a roof inspection with Mike Horstman. I was in a call today that raised the issue of the 33rd floor. The worry is that the roof is failing and if this much water is making it down to the 32nd floor the 33rd floor is probably growing tadpoles - and Randy, 32nd floor leaks can't be due to BAC verticle cuts. The concern is that with the 33rd floor being the building's central HVAC floor this rain could create quite the moldy environment and since we've already tested and found Stachybotrys on the 28th floor (a very not healthy species) that makes BAC very concerned about air quality and safety. I'd be surprised if this doesn't spread into a full scale mold and asbestos inspection on the 33rd floor because running water is very bad for even non-fryable asbestos.

Randy - you never sent me the asbestos report you promised - 6th floor if possible, if not then a remodelled floor. Please send overnight to 12020 Leeward Walk, Alpharetta, GA 30005 so I can get a handle on this.

My boss at BAC is out of the country through this week so I've got some breathing space but come Monday I'm going to have to be prepared to answer some tough questions and I'm obviously not getting anywhere working with you guys on this.

You've got to help me help RAK and BAC fix this or I'm going to have no choice but to join the swelling ranks and let BAC know my recommendations are to plan on packing. I can't fight this battle much further without having something to show for it.

John Worrell
404-840-64375

From: Williams, Lawrence @ Dallas
Sent: Wednesday, March 10, 2010 1:43 PM
To: 'Michael Horstman'; 'Shenikqua Davis'

Cc: Flynn, Bob @ Ft. Worth
Subject: 32nd Floor OMP

There continue to be roof related water issues that need to be addressed:

- Water is dripping (as I write this) into space along north side. Dwights crew needs to clean this area and remove the cart that has been left behind by someone. (Sheriquea, please handle)
- Ceiling tiles need to be replaced. This is in addition to the 4X4 tiles you mentioned were on order.
- Sheetrock repairs and painting is needed due to roof leaks.
- Ceiling tile stock needs to be removed from space that is stacked on top of one of the cubicles.
- Roof repairs need to made to resolve this issue which has been chronic. David Cook with Sitemark will be contacting you to set up a time to inspect roof.

Lawrence J. Williams
CB Richard Ellis | Global Corporate Services
2274 |
lawrence.williams@cbre.com | www.cbre.com

Seth Schochet

From: Randy Kohana
Sent: Wednesday, March 17, 2010 9:52 AM
To: Seth Schochet
Subject: FW: Bank of America

Randy Kohana
Chief Executive Officer
RAK Group LLC
270 Lafayette Street
New York, NY 10012
(212) 245-1601 (Tel)
(212) 245-7001 (Fax)
RKohana@rakgroup.com
www.rakgroup.com

*PLEASE NOTE OUR NEW ADDRESS ABOVE.

From: David Worrell [<mailto:dworrell@att.net>]
Sent: Tuesday, March 16, 2010 4:22 PM
To: Randy Kohana
Subject: Bank of America

It is imperative we speak as soon as possible. I have till Friday to either work something out with you or BAC's environmental group and attorneys take it over themselves. That outcome is obvious – and it is not 5 years out. It is 5 weeks out.

Cambridge Consulting Group Inc.
David Worrell
678-488-2504
678-456-8118
dworrell@att.net

3/17/2010

App. 216

CAMBRIDGE 024822

Randy Kohana

From: David Worrell [dworrell@att.net]
Sent: Monday, March 22, 2010 5:06 AM
To: Randy Kohana
Cc: 'John Worrell'
Subject: Resolution Offer
Attachments: OMP Basis.xls

Importance: High

Randy:

As promised, this is the offer from Bank of America to resolve both parties' issues with One Main Place, Dallas, TX. To begin, there has been a ground-swell of desire and demand from the Bank employees located in One Main Place (OMP) to relocate to other Bank facilities in the Dallas Metro-plex.

Up until this weekend my understanding for this was a desire to be in better facilities. As of now I know more specific reasons which you will receive later tomorrow based on the amount of complaints and requests for more reasonable working conditions. My group was brought in to determine the expenses of either moving these employees or managing the repairs to end their issues.

Rather than getting into a continuing dispute as to the validity of these issues and the costs of ending them – I will simply offer a method and amount which will do just that without greater risk to your company. As I explained to you, Charlotte wants to remain in the majority of the space they presently occupy due to the favorable costs of the lease. Unfortunately, Charlotte cannot ignore the complaints of their employees working at OMP.

Again, as I explained to you – the problem can be isolated to 6 of the 17 floors the Bank presently occupies. Due to the present conditions, these 6 floors are now being vacated and the employees located on those floors are being re-located to other places in the building or elsewhere.

Having these floors vacant is why the Bank wanted to sublease these floors – but not without first verifying that these floors were totally safe to put another company into their space. This proved to be a problem. This is not due to Bank leasing "too much space" but the safety and working conditions on these floors. The Bank can no longer subject their employees, or take on the liability for another company - to these conditions and must make immediate changes to mitigate the losses they have incurred and are continuing to incur.

Based on the continued complaints within the building – the Bank hired certified engineers to determine the validity of these issues. Their answers were conclusive and verified the complaints. As of now, the estimate for complete repair and remediation of these floors is approximately \$13.42 per square foot per floor – 6 floors or 17 floors depending on your agreement to this offer.

The floors which the Bank has or is presently exiting are:

- 4 – All but 1,512 square feet located in the building core where data equipment resides (unless terminated in 2014).
- 6 – Will not be vacated until the end of 2011.
- 7 – Effective immediately.
- 12 – Effective immediately.
- 28 – Effective immediately.
- 31 – Effective immediately.

Based on the first attached spreadsheet, you can verify the Bank's obligation until their expected termination date of December 31, 2014. Based on the second spreadsheet, you can verify the remaining obligation of the Bank on these vacated floors.

The Offer: The basis of this offer stands on the fact that at this point the Bank intends to terminate the lease at the end of 2014.

Although this offer has not been authorized by BAC's Dallas Management, the following offer is extended until Wednesday of this week when a decision will be made as to how the Bank will proceed with this issue.

1. The Bank will agree to extend the termination date for the entire lease – minus the 6 floors - by 12 months.
2. The Bank will give RAK a fee of \$1,019,958.34 (the repair and remediation costs for these 6 floors) as a termination fee.
3. The Bank will sign a clean Estoppel for their entire lease.

Randy, there are many more reasons as to the amount of this offer. I will be happy to speak with you IN PERSON about them. If you want to negotiate further, please set up a time for us to meet. Remember, Charlotte wants this to work; but cannot afford to let these issues pass any longer. And as they say in real estate-eze: "time is of the essence".

Thank you for your kind consideration. I hope to hear from you soon.

PS: This offer is final and is void if not accepted as of 6 P.M. Wednesday, March 23rd, 2010.

Corporate Risk Consultants Inc.

David R. Worrell

Managing Director

678.488.2504 or 678-456-8118.

dworrell@att.net <<...>>

RAK Bookable Revenue Basis Through End of 2014

	SQ. FT.	MONTHLY	PSF	2010	2011	2012	2013	2014	Buyout Fee	INCOME
Floor	From 4-1									
32	29,660	22,245	9.00	200,205	266,940	266,940	266,940	266,940		1,379,190
31	29,660	22,245	9.00	200,205	266,940	266,940	266,940	266,940		1,379,190
29	29,660	22,245	9.00	200,205	266,940	266,940	266,940	266,940		1,379,190
28	28,678	21,509	9.00	193,577	258,102	258,102	258,102	258,102		1,333,527
26	29,660	22,245	9.00	200,205	266,940	266,940	266,940	266,940		1,379,190
25	29,082	21,812	9.00	196,304	261,738	261,738	261,738	261,738		1,352,313
21	28,108	21,081	9.00	189,729	252,972	252,972	252,972	252,972		1,307,022
18	29,082	21,812	9.00	196,304	261,738	261,738	261,738	261,738		1,352,313
12	27,440	20,580	9.00	185,220	246,960	246,960	246,960	246,960		1,275,960
11	27,440	20,580	9.00	185,220	246,960	246,960	246,960	246,960		1,275,960
10	27,440	20,580	9.00	185,220	246,960	246,960	246,960	246,960		1,275,960
9	26,484	19,863	9.00	178,767	238,356	238,356	238,356	238,356		1,231,506
8	28,387	21,290	9.00	191,612	255,483	255,483	255,483	255,483		1,319,996
7	27,440	20,580	9.00	185,220	246,960	246,960	246,960	246,960		1,275,960
6	27,440	20,580	9.00	185,220	246,960	246,960	246,960	246,960		1,275,960
4	27,286	20,465	9.00	184,181	245,574	245,574	245,574	245,574		1,268,799
3	27,257	20,443	9.00	183,985	245,313	245,313	245,313	245,313		1,267,451
Vault	10,340	7,755	9.00	69,795	93,060	93,060	93,060	93,060		480,810
TOTALS:	490,544	367,908	9.00	3,311,172	4,414,896	4,414,896	4,414,896	4,414,896	1,839,540	22,570,256

RAK Bookable Revenue Basis Through End of 2015 Minus Contraction											
	SQ. FT.	MONTHLY	PSF	2010	2011	2012	2013	2014	2015	Buyout Fee	INCOME
Floor	From 4-1										
32	29,660	22,245	9.00	200,205	266,940	266,940	266,940	266,940	281,770		1,667,139
31	29,660	22,245	9.00	0	0	0	0	0	0	0	0
29	29,660	22,245	9.00	200,205	266,940	266,940	266,940	266,940	281,770		1,667,139
28	29,660	22,245	9.00	0	0	0	0	0	0	0	0
26	28,678	21,509	9.00	193,577	258,102	258,102	258,102	258,102	272,441		1,611,943
25	29,660	22,245	9.00	200,205	266,940	266,940	266,940	266,940	281,770		1,667,139
21	29,082	21,812	9.00	196,304	261,738	261,738	261,738	261,738	276,279		1,634,651
18	28,108	21,081	9.00	189,729	252,972	252,972	252,972	252,972	267,026		1,579,904
12	29,082	21,812	9.00	0	0	0	0	0	0	0	0
11	27,440	20,580	9.00	185,220	246,960	246,960	246,960	246,960	260,680		1,542,357
10	27,440	20,580	9.00	185,220	246,960	246,960	246,960	246,960	260,680		1,542,357
9	27,440	20,580	9.00	185,220	246,960	246,960	246,960	246,960	260,680		1,542,357
8	26,484	19,863	9.00	178,767	238,356	238,356	238,356	238,356	251,598		1,488,622
7	28,387	21,290	9.00	0	0	0	0	0	0	0	0
6	27,440	20,580	9.00	185,220	246,960	0	0	0	0	0	432,180
4	1,512	1,134	9.00	10,206	13,608	13,608	13,608	13,608	14,364		84,987
3	27,257	20,443	9.00	183,985	245,313	245,313	245,313	245,313	258,942		1,532,071
Vault	10,340	7,755	9.00	69,795	93,060	93,060	93,060	93,060	98,230		581,194
TOTALS:											
	466,990	350,243	9.00	2,363,857	3,151,809	2,904,849	2,904,849	2,904,849	3,066,230	1,277,596	21,137,008

Randy Kohana

From: John Worrell [johnw.crc@gmail.com]
Sent: Monday, March 22, 2010 5:46 PM
To: Randy Kohana; Seth Schochet
Subject: OMP Sick Building Syndrome
Attachments: 03212010_Work Order Report.xls

Randy/Seth,

I found the source of the BAC ground swell to leave OMP – it's everyone from hourly staffers to SVPs. Going through 2,000+ line items of work orders over a two year period was mind numbing enough but nothing like this clear and documented pattern of RAK neglect. I'd be surprised if there were a single BAC employee left at OMP who hasn't filed some kind of complaint about their working conditions. In all honesty, I've never seen anything like this and I've audited more buildings than I can remember. I've never seen something so systemic and with such clear patterns that RAK should have grasped and taken pro-active and preventative measures against. Seriously, did you think that this wouldn't eventually catch up with you? You can siphon cash out of a building for only so long.

We're talking an average of 2+ requests per day – more than half for HVAC issues: dirt and dust making people feel sick (specific complaints about 'respiratory issues', coughing and sneezing), banging and clanking of unmaintained equipment, HVAC leaks, even the smell of smoke and burning all compounded by an increasingly frustrated BAC staff at having their requests essentially ignored. There is no way RAK couldn't have seen that the HVAC units and ballasts were falling apart due to neglect and were, in fact, a safety and health hazard.

Some examples as reported to RAK:

04/04/2008: 6th flr south end of the building there is an **electrical burning smell** please investigate

05/27/2008: On the 21st floor - Lights in the office are not working - **seems to be a bad ballast - has a burning smell**

06/04/2008: Caller There is a **burning smell(maybe wires)** down the hall way on the 10th floor

07/17/2008: The a/c vents in Cindy Neinast's office are making a lot of noise that is **disruptive to her work**

07/25/2008: Some areas of the floor continue to be too cold - **we're getting daily complaints from associates.**

10/29/2008: 18th floor - East end - **Many people are complaining** that it is extremely cold.

11/05/2008: 11th floor north side. **Caller says sparks came out of a ceiling light, now the lights are not working.**

11/21/2008: Half of the NE side of the building is blowing cold air. **Also the previous attempt to adjust the cold air was a failure**

12/03/2008: 29th floor - hvac vent needs to be shut in cube 69 for Rachel Kufunoki as it is to much air **making her sneeze**

01/07/2009: 25th main street side, please repair **ac unit its leaking water** on the carpet .

01/30/2009: Caller says the a/c vents are very loud. Caller says **they have a SVP on site** and its very loud in the office.

04/07/2009: 26th floor Construction Lending Dept. **Caller says a/c vent is leaking near a window**

05/14/2009: Caller states the HVAC venting along the back windows is producing a **burning smell** and there is a **banging noise**

05/18/2009: please provide temperature readings from each reader.....*numerous complaints* that the floor in all areas are too cold.

06/08/2009: AC Vent blowing on location 9-145 is causing the associate to *continually cough*.

06/12/2009: need carpet replaced or cleaned *since air conditioner leaked on the floor. Carpet is beginning to smell*.

09/15/2009: 32nd - Piece of the ceiling tile fell off onto the floor, soaking wet, *been raining for five days*

10/07/2009: 6th flr Need to *clean all hvac vents*. per caller *several associates have reported "respiratory" issues*.

10/28/2009: 21st flr Coporate Security Dept there is a *ceiling leak in the corner leaking down wall from HVAC*

11/05/2009: *air conditioner is leaking water* by Pat Herndons desk on the 26th floor

11/20/2009: No hot water in restroom sinks - since we moved back after the renovation *almost a year ago - complaints have gone unheeded*.

I've highlighted the more egregious examples in yellow in the attached XLS. I cannot over-state the impact this will have. Boy I wish I had received this sooner. Come Thursday you can expect this to turbo-charge BAC's efforts to evacuate at-risk staff and confront this head on. BAC will not accept liability for RAK's negligence. People are reporting getting sick in your building. Rain water intrusion everywhere, mold, clogged, leaking and burning HVAC units, sparks and burning ballasts, ACMs. This is bad – very bad. My advice to BAC will be to double down on inspections and auditing to demonstrate my client's commitment to public health and safety. We're bringing OSHA, the EPA and TDSHS out there on an accelerated schedule - just as soon as I can bundle this last report with the other inspections.

I recall when we first met in your office that all three of you acted stunned and befuddled because "this is the first we're hearing about these kinds of problems". If that were true then Mike has kept you seriously in the dark about this flood (pun regrettably intended) of constant and repeat requests. The pattern of repeated requests for the same unresolved issues – some of them safety related – inarguably demonstrates RAK's blatant disregard.

And keep in mind that these logs cover 2008 and 2009 when RAK was receiving a 44% higher base rent than 2010 (\$13/PSF). It raises the legitimate concern that given how RAK was so clearly milking the property then, how much lower will the service levels drop at \$9/PSF? This is going to seriously undermine the perceived value of \$9/PSF.

I've culled and attached about 775 individual work orders to make the point. Note that about 100 of these were handled internally by CBRE and BAC contractors and I left them in on purpose. These are a big problem because CBRE was spending BAC money to fix issues that RAK was responsible for. I can assure you that will change going forward. Your building; your problem.

I'd been told that CBRE started doing RAK's job because it was just easier and faster than constantly asking RAK and waiting and only having the most minimal solution applied resulting in an almost immediate recurrence of the issues. CBRE simply got tired of the "don't shoot the messenger" syndrome as BAC staff were losing their patience with them for RAK's failures.

I'm truly afraid that when I report this to BAC at my conference meeting this Thursday they're going to make me move to Dallas and work out of OMP to personally handle this auditing and accountability on a daily basis in 2010.

Go ahead and scan through this shortened list. If you sort by category you can see how chronic these patterns are. If you sort by date you can see the constant and never ending nature of these issues.

- 180+ complaints about lighting issues
- 430+ complaints about the HVAC systems
- 115+ Plumbing and leak issues

Yes, all buildings have issues, but this is clearly self-inflicted and on a scale I have never before imagined.

Randy, this is a smoking gun. When BAC ties this proof of pattern back to the inspection reports, your claims that there are no problems or that they are BAC's fault or that they aren't problems so much as minor 'issues' that you'll be happy to fix won't fly anymore - and this in addition to the ACM issue. The Dallas execs who want to move are going to have a field day with this on Thursday.

I promised you a first look at what I found and here it is. I'll call shortly because I don't want to walk into my meeting without having some kind of answer to this. RAK needs to come up with some kind of solution that will help me keep BAC from going ballistic. And I'm not talking the same tired promises from the past. That dog won't hunt.

John Worrell
Corporate Risk Consultants
404-840-6475

Randy Kohana

From: Michael Horstman [mh@rakgroup.com]
Sent: Monday, March 22, 2010 5:18 PM
To: Randy Kohana; Seth Schochet
Subject: BofA 28th Floor Leak

Today while I was walking the vacant floors, I came across water leaking in a large meeting room in the interior of the 28th floor. I got a ladder and removed one of the wet ceiling tiles to see where it was coming from. The water was coming from around a drain hub on the 29th floor. I called Larry Williams, with CBRE and asked him to meet me on the 29th floor. I located the wet area under the raised floor in Bank of America's computer lab. The water was coming out from behind one of their leibert units. I knew it was coming from their lab because the leak was in the same general area as the one they had several weeks ago under one of their other leibert unit in the lab.

Michael Horstman, RPA,FMA,SMA

Property Manager

One Main Place

1201 Main Street, Suite 100

Dallas, Texas 75202

Office: 214-744-9815

Cell: 214-532-7800

Fax: 214-744-9810

mh@rakgroup.com

Randy Kohana

From: Michael Horstman [mh@rakgroup.com]
Sent: Tuesday, March 23, 2010 2:53 PM
To: Randy Kohana; Seth Schochet
Subject: Leaks Found on Vacant BofA Floors

Last Tuesday, March 16, one of my engineers was walking the vacant BofA floors and found a leak on the 7th floor. He investigated and found the source was BofA's water heater serving their break room on the west side. The water to the water heater was valved off. We also found that the pressure regulating valve for their southeast break room on 7 is also leaking.

Michael Horstman, RPA,FMA,SMA

Property Manager

One Main Place

1201 Main Street, Suite 100

Dallas, Texas 75202

Office: 214-744-9815

Cell: 214-532-7800

Fax: 214-744-9810

mh@rakgroup.com



SIGMA Environmental Solutions, Inc.

March 24, 2010

Mr. Seth Schochet
RAK Group LLC
270 Lafayette Street
New York, NY 10012

**RE: Status Report
One Main Place Office Building
1201 Main Street
Dallas, Texas**

Mr. Schochet:

Sigma Environmental Solutions, Inc. (Sigma) has been providing asbestos and mold consulting services in the One Main Place office building in Dallas, Texas, since October of 2007. During this time Sigma has prepared specifications for the abatement of asbestos-containing-building-materials (ACBM) and monitored the abatement that was conducted on floors 3, 8, 9, 10, 11, 18, 21, 24, 25, 26, 29, 31, 32 and in the building core piping chase. The abatement occurred over the past few years.

All applicable rules and regulations were adhered to during the abatement and all air samples obtained were within regulatory and project specification requirements. The abatement was completed by North Star Abatement Corporation. All North Star employees who were involved in removal of asbestos containing materials (ACM) were accredited and licensed according to state and federal regulations.

Sigma was provided survey reports prepared by EFl Global, Inc. to review prior to preparing the specifications. Sigma reviewed the survey for each floor to be renovated and performed an inspection to determine if all suspect ACBM had been addressed, and then collected additional samples if needed. ACBM identified to be disturbed by the renovations, or was damaged and in need of removal, was included in the specifications for removal.

Non-friable materials that would not be affected by the renovations were left in place including without limitations the perimeter HVAC units and are not required by OSHA, EPA NESHAP, or Texas Department of State Health Services (TDSHS) to be removed.

Sigma collected additional samples of insulation and mastic associated with the condensate pan of the unit. The results of the sampling were negative.

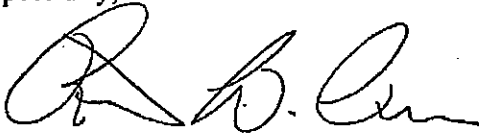
Sigma has also performed surveys on other lease spaces within the building prior to renovation. Identified ACBM to be affected by the renovations was removed in accordance with all required OSHA, EPA NESHAP, and TDSHS regulations in these areas as well.

One Main Place Status Report
Page 2

One Main Place has an Asbestos Management Plan in place to maintain ACBM and prevent any exposure to building occupants or servicemen. The Asbestos Management Plan contains O&M procedures to be used when encountering asbestos materials. The policy in the manual requires all disturbance of ACBM be performed by personnel licensed or certified by TDSHS. Additionally, prior to any disturbance of suspect ACBM, the existing survey is to be checked to determine if the material has been identified as ACBM, or if it needs to be tested prior to disturbance.

Thank you for the opportunity to provide RAK Group LLC with our environmental consulting services. Should you have any questions or concerns, please contact the undersigned at (972) 572-1400.

Respectfully,

A handwritten signature in black ink, appearing to read "R. D. Orr", written over a horizontal line.

Rick D. Orr
Vice President/Director of IAQ Services
Environmental Services
TDSHS Licensed Individual Asbestos Consultant
License No. 10-5103



March 24, 2010

*Building Materials Meeting
For RAK Main Place Associates
at the Main Place and Office Building*

At

**One Main Place
HVAC Window Units
1201 Main Street
Dallas, TX**

Prepared for:

**Mr. Michael Horstman
RAK Main Place Associates, L.P.
1201 Main Street, Suite 100
Dallas, TX 75202**

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SIGMA Environmental Solutions, Inc.

March 24, 2010

Mr. Michael L. Horstman
Property Manager
RAK Group, LLC
1201 Main Street, Suite 100
Dallas, Texas 75202

**RE: Limited Asbestos Testing
One Main Place
HVAC Window Units
1201 Main St.
Dallas, Texas 75202
Sigma Project No. 2100043**

Dear Mr. Horstman:

Sigma Environmental Solutions, Inc. (Sigma) has completed limited testing for asbestos-containing building materials (ACBM) in the HVAC Window Units located around the perimeter of the floors in the One Main Place Building, Dallas, Texas. The testing was limited to the insulation on the exterior of the condensate pan, and foam insulation between the coil and the case. The test areas included the fifteenth floor and the fourth floor. The survey included visual observations, material sampling and laboratory analysis of suspect ACBM on the site. Mr. Rick D. Orr of Sigma performed the inspection on March 11, 2010. Mr. Orr is a DSHS licensed Individual Asbestos Consultant (DSHS License No. 10-5103).

A total of six (6) bulk samples of suspect ACBM were collected from two (2) suspect homogeneous materials in the HVAC Units. Bulk samples were collected from the following materials: condensate pan insulation and mastic, and white foam insulation.

Sampled materials were delivered under proper chain of custody to Steve Moody Micro Services Inc., of Carrollton, Texas, an accredited NVLAP (Lab No. 10-2056) and DSHS (License No. 30-0084) licensed laboratory for analysis by Polarized Light Microscopy (PLM) with dispersion staining techniques per EPA Method 40 CFR, Ch. 1, Part 763, Subpart F, Appendix A. The percentage of asbestos, where applicable, was determined by visual estimation. Based on the laboratory analysis, asbestos was determined to be present in the following materials:

No asbestos containing materials were found

SIGMA understands there are other Asbestos Containing Materials identified in the HVAC units. Prior to scheduled renovations or demolition that could impact the materials identified as ACBM in a prior report, State of Texas and Federal regulations require ACBM to be removed prior to performing the renovation or demolition activities that would affect those materials. It is also important to note that state and federal regulations require a ten (10) working day notification prior to any demolition activities in a building that affords public occupancy, regardless of whether asbestos is present or not.

HVAC Window Unit Testing Report
Page 2

Materials in those areas not addressed by this survey should be tested to determine whether they contain asbestos prior to any additional renovation or demolition activities.

The identified renovation area was inspected and homogeneous materials were identified. Samples were collected on a homogeneous material basis. Any asbestos containing materials, if found, are listed in Attachment A. Each homogeneous material is described and functional spaces are identified in Attachment B. A minimum of three bulk samples were collected from each homogeneous material. The reports of laboratory analysis of all samples collected are included in Attachment C. Specific company and personnel documentation are located in Attachment D.

Sigma was also requested to inspect the twelfth, seventh, and fourth floors for evidence of mold growth on ceiling tiles. Rick D. Orr of Sigma is a DSHS licensed Mold Assessment Consultant (DSHS License No. MAC0363). During the walkthrough inspection of the floors various locations of water stained ceiling tiles were observed. The water stains did not appear to be the result of a continuing condition, the water leaks had been corrected and the tiles were dry to the touch. Sigma also visually inspected some of the Window HVAC Units on these floors.

No mold growth was observed.

On March 24, 2010, Rick D. Orr of Sigma re-inspected the affected areas, as well as the twenty-eighth floor and all water stained tiles in these areas have been replaced. During this re-inspection several areas above the ceiling were visually inspected for mold growth and again none was observed. Any future leakage should be repaired immediately, wet tiles should be removed and disposed of, and new tiles installed after the leak has been corrected. Tiles with existing stains should also be replaced.

We appreciate the opportunity to provide asbestos-related services to RAK Group, LLC and look forward to working with you on future projects. If you should have any questions regarding this report, please contact the undersigned at (972) 572-1400.

Respectfully,

Σ SIGMA Environmental Solutions, Inc.



Rick D. Orr
Vice President/Director of IAQ Services
Environmental Services

ATTACHMENT A INVENTORY AND ASSESSMENT OF ACM
ATTACHMENT B INVENTORY OF HOMOGENOUS MATERIALS
ATTACHMENT C PHOTOLOG
ATTACHMENT D REPORT OF LABORATORY ANALYSIS
ATTACHMENT E COMPANY AND PERSONNEL DOCUMENTATION

ATTACHMENT A

INVENTORY AND ASSESSMENT OF ACM

BUILDING / AREA: HVAC Window Units 15 th Floor and 4 th Floor	DATE INSPECTED: 3/11/10
SIGMA ENVIRONMENTAL SOLUTIONS, INC. PROJECT NO.: 2100043	INSPECTED BY: Rick D. Orr, TX License #10-5103

INVENTORY AND ASSESSMENT OF ASBESTOS-CONTAINING MATERIALS

AREA NO.	MATERIAL DESCRIPTION	LOCATION	SAMPLE NUMBER	TYPE*	FRIABLE F/NF	MATERIAL ESTIMATED QUANTITY	CONDITION ASSESSMENT	ASBESTOS CONTENT /COMMENTS (ND – None Detected)
<i>No asbestos containing materials were found</i>								

ATTACHMENT B

INVENTORY OF HOMOGENOUS MATERIALS

BUILDING / AREA: HVAC Window Units 15 th Floor and 4 th Floor	DATE INSPECTED: 3/11/10
SIGMA ENVIRONMENTAL SOLUTIONS, INC. PROJECT NO.: 2100043	INSPECTED BY: Rick D. Orr, TX License #10-5103

INVENTORY OF HOMOGENEOUS MATERIALS

HOMOGENEOUS MATERIALS		FUNCTIONAL SPACES	SAMPLE NUMBERS	MATERIAL QUANTITY	SAMPLE RESULTS	ASBESTOS CONTENT / COMMENTS (ND = None Detected)
AREA NO.	DESCRIPTION					
M01	Black Insulation and Mastic on HVAC Condensate Pan	HVAC Units at Perimeter Windows throughout building	1,2,3	N/A	NEG	ND - Insulation ND - Mastic
M02	White Foam Insulation at Coil Fins to Case Joint	HVAC Units at Perimeter Windows throughout building	4,5,6	N/A	NEG	ND - Insulation

ATTACHMENT C

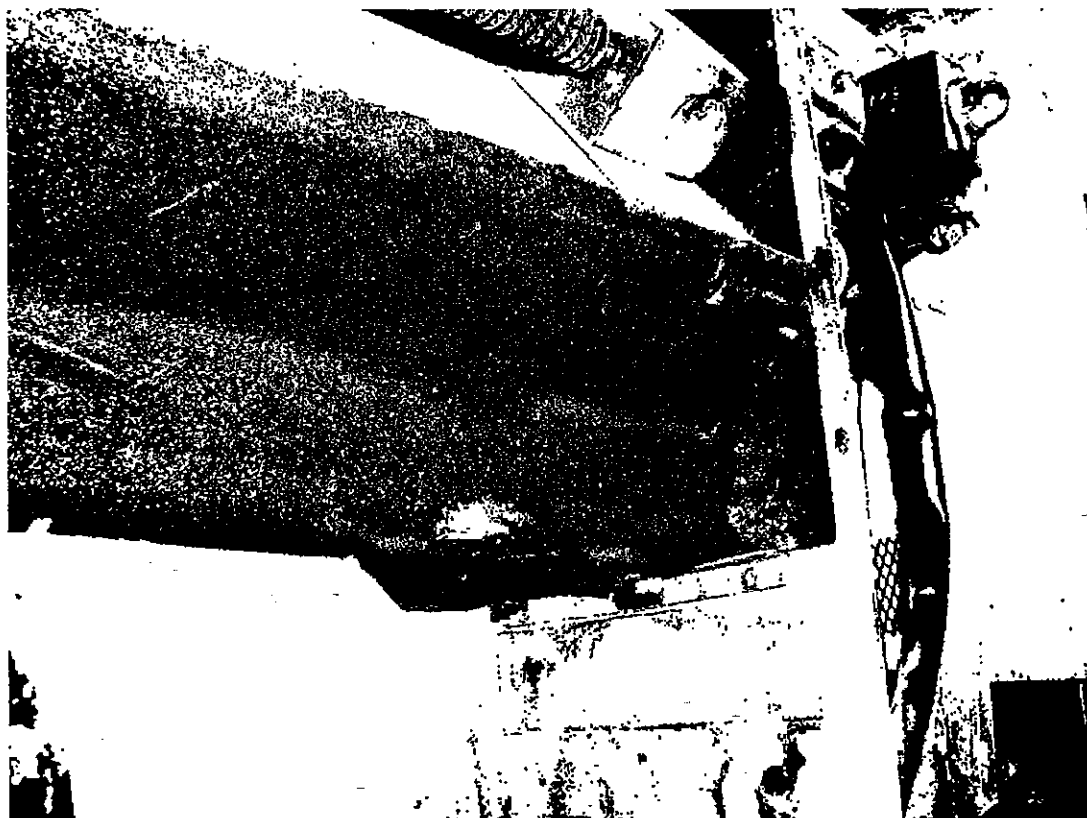
PHOTOLOG

Site Location:
One Main Place

Dallas, Texas

Date:
March 11, 2010

Photographer:
Rick Orr



1. Black Insulation and Mastic on HVAC Condensate Pan

Site Location:
One Main Place

Dallas, Texas

Date:
March 11, 2010

Photographer:
Rick Orr



2. Black Insulation and Mastic on HVAC Condensate Pan

RAK Main Place Associates L.P.
1201 Main Street, Dallas, Texas

SITE PHOTOGRAPHS

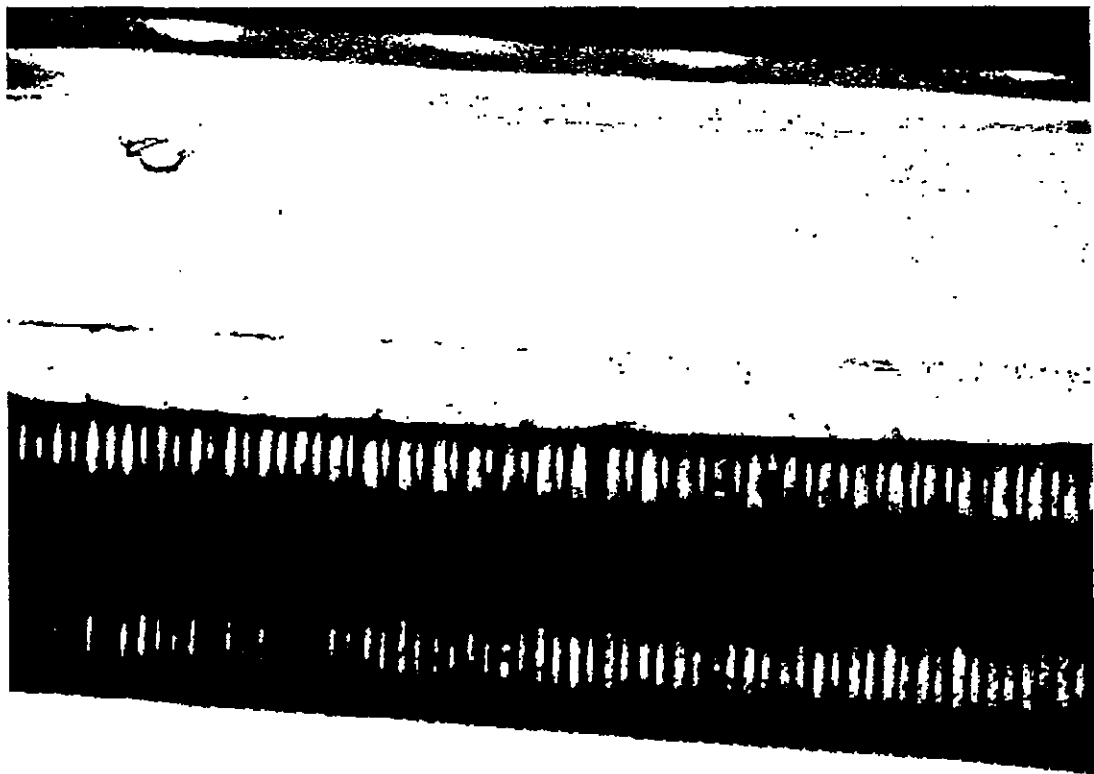
**Σ SIGMA ENVIRONMENTAL
SOLUTIONS, INC.**

Site Location:
One Main Place

Dallas, Texas

Date:
March 11, 2010

Photographer:
Rick Orr



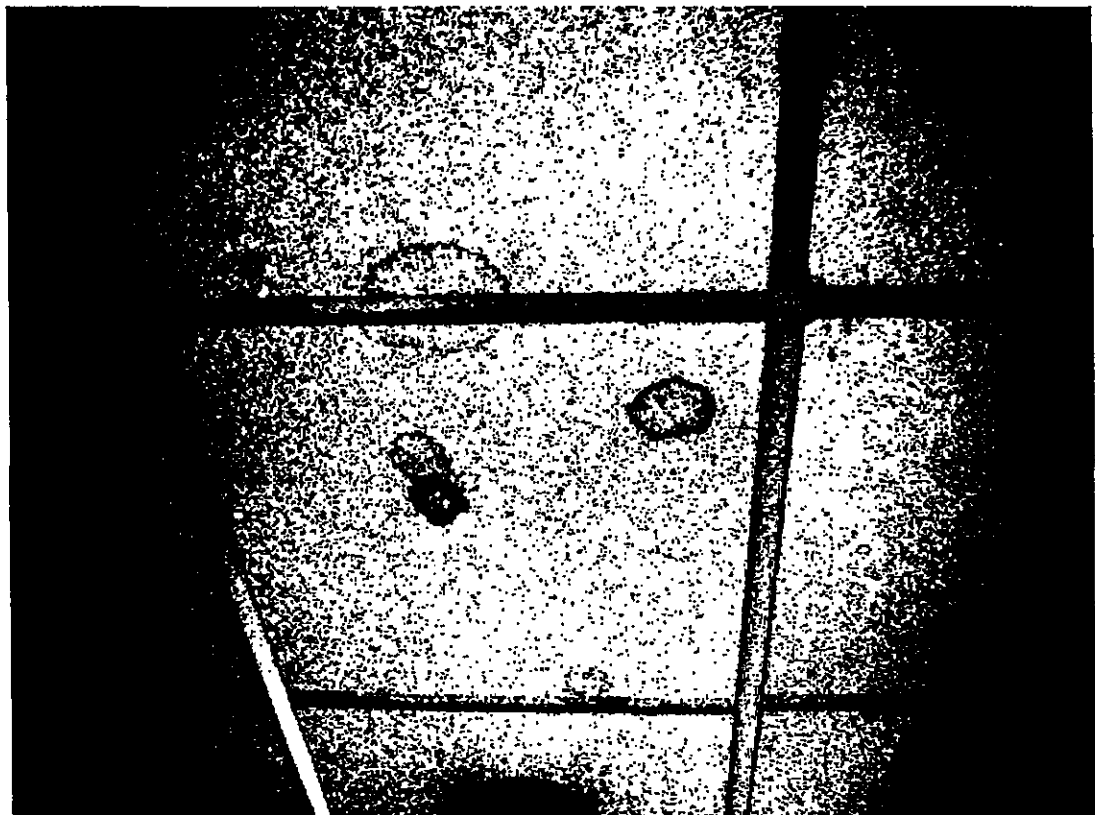
3. White Foam Insulation at Coil Fins to Case Joint

Site Location:
One Main Place

Dallas, Texas

Date:
March 11, 2010

Photographer:
Rick Orr



4. Water stained ceiling tiles on fourth floor.

RAK Main Place Associates L.P.
1201 Main Street, Dallas, Texas

SITE PHOTOGRAPHS

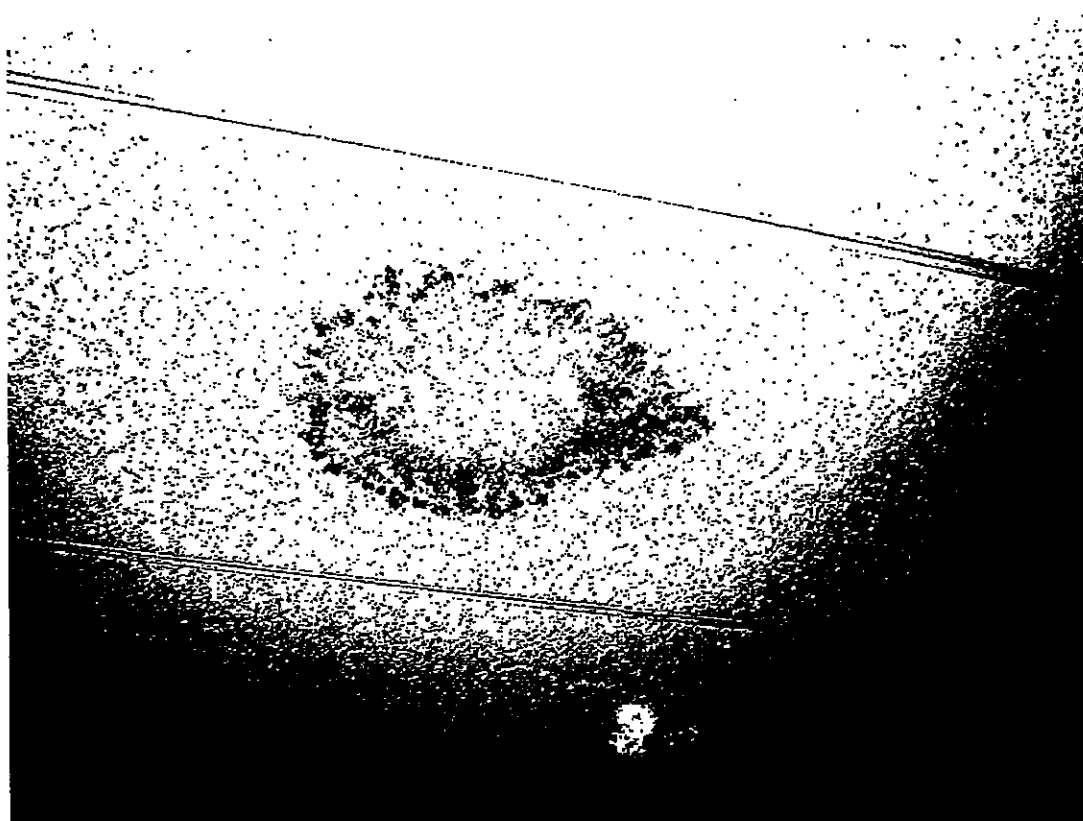
Σ SIGMA ENVIRONMENTAL
SOLUTIONS, INC.

Site Location:
One Main Place

Dallas, Texas

Date:
March 11, 2010

Photographer:
Rick Orr



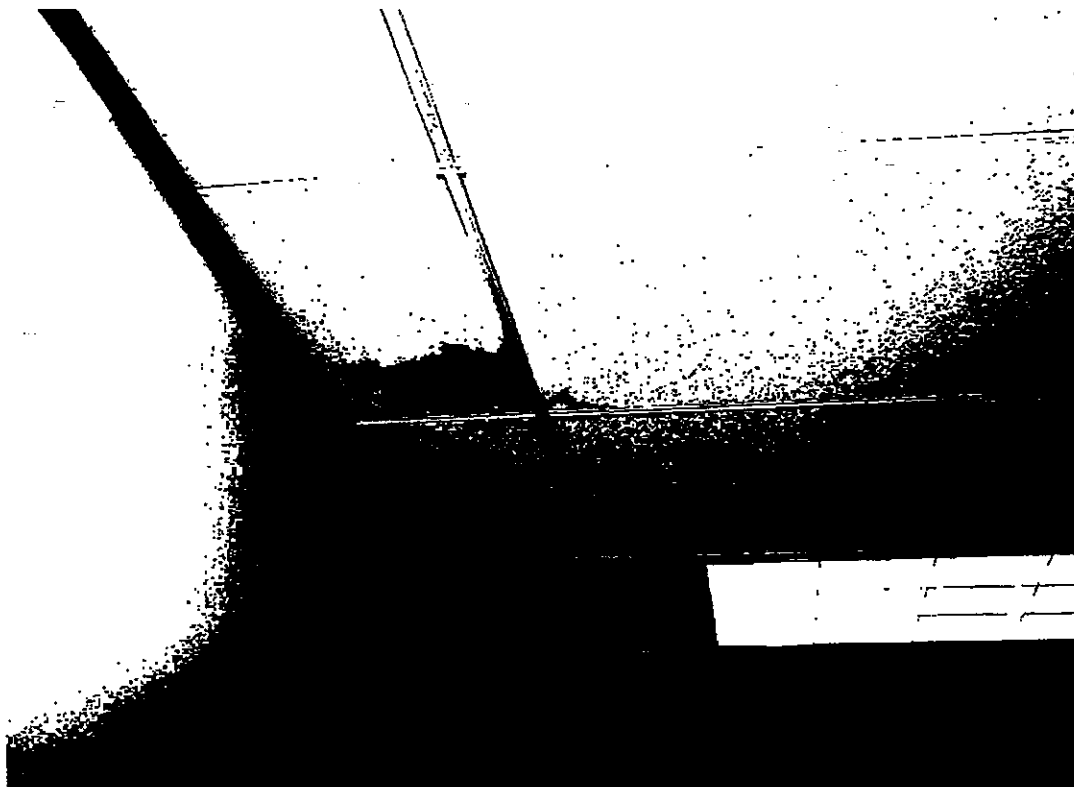
5. Water stained ceiling tiles on fourth floor.

Site Location:
One Main Place

Dallas, Texas

Date:
March 11, 2010

Photographer:
Rick Orr



6. Water stained ceiling tiles on fourth floor.

RAK Main Place Associates L.P.
1201 Main Street, Dallas, Texas

SITE PHOTOGRAPHS

**Σ SIGMA ENVIRONMENTAL
SOLUTIONS, INC.**

ATTACHMENT D

REPORT OF LABORATORY ANALYSIS

PLM Summary Report*Steve Moody Micro Services, LLC*

2051 Valley View Lane

Farmers Branch, TX 75234 Phone: (972) 241-8460

NVLAP Lab No. 102056

TDSHS License No. 30-0084

Client : SIGMA Environmental Solutions

Lab Job No. : 10B-02273

Project : OMP HVAC Units under Windows

Report Date : 03/11/2010

Project # : 210 00

Sample Date : 03/11/2010

Identification : Asbestos, Bulk Sample Analysis

Test Method : Polarized Light Microscopy / Dispersion Staining (PLM/DS)

EPA Method 600 / R-93 / 116

Page 1 of 1

On 3/11/2010, six (6) bulk material samples were submitted by Rick Orr of SIGMA Environmental Solutions for asbestos analysis by PLM/DS. The PLM Detail Report is attached; additional information may be found therein. The results are summarized below:

Sample Number	Client Sample Description / Location	Asbestos Content
OMP01	Foam Insulation of Condensate Pan, 15th Floor Suite 1515 Northwest Office Unit	None Detected - Insulation None Detected - Black Mastic
OMP02	Foam Insulation of Condensate Pan, 15th Floor Suite 1515 Northwest Office Unit	None Detected - Insulation None Detected - Black Mastic
OMP03	Foam Insulation of Condensate Pan, 15th Floor Suite 1515 Northwest Office Unit	None Detected - Insulation None Detected - Black Mastic
OMP04	Foam Insulation (White) at Coils, 4th Floor South Side Units	None Detected - Insulation
OMP05	Foam Insulation (White) at Coils, 4th Floor South Side Units	None Detected - Insulation
OMP06	Foam Insulation (White) at Coils, 4th Floor South Side Units	None Detected - Insulation


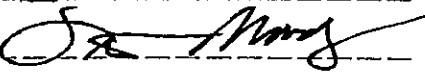
These samples were analyzed by layers. Quantification, unless otherwise noted, is performed by calibrated visual estimate. Results may not be reproduced except in full. This test report relates only to the samples tested. These test results do not imply endorsement by NVLAP or any agency of the U.S. Government. Accredited by the National Voluntary Laboratory Accreditation Program for Bulk Asbestos Fiber Analysis under Lab Code 102056.

NVLAP

Analyst(s): Kirsten Tye

Lab Manager : Bruce Crabb

Lab Director : Steve Moody

Approved Signatory : Approved Signatory : 

Thank you for choosing Steve Moody Micro Services

Steve Moody Micro Services, LLC

2051 Valley View Lane

Farmers Branch, TX 75234 Phone: (972) 241-8460

PLM Detail Report

Supplement to PLM Summary Report

NVLAP Lab No. 102056

TDSHS License No. 30-0084

Client: SIGMA Environmental Solutions

Lab Job No. : 10B-02273

Project : OMP HVAC Units under Windows

Report Date : 03/11/2010

Project #: 210 00

Page 1 of 1

Sample Number	Layer	% Of Sample	Components	% of Layer	Analysis Date	Analyst
OMP01	Insulation (Black)	95%	Glass Foam	100%	03/11	KT
	Black Mastic (Black)	5%	Binders / Fillers	100%		
OMP02	Insulation (Black)	95%	Glass Foam	100%	03/11	KT
	Black Mastic (Black)	5%	Binders / Fillers	100%		
OMP03	Insulation (Black)	95%	Glass Foam	100%	03/11	KT
	Black Mastic (Black)	5%	Binders / Fillers	100%		
OMP04	Insulation (White)	100%	Synthetic Foam	100%	03/11	KT
OMP05	Insulation (White)	100%	Synthetic Foam	100%	03/11	KT
OMP06	Insulation (White)	100%	Synthetic Foam	100%	03/11	KT

ATTACHMENT D

COMPANY AND PERSONNEL DOCUMENTATION



TEXAS DEPARTMENT OF STATE HEALTH SERVICES

STEVE MOODY MICRO SERVICES, LLC

is certified to perform as a

Asbestos Laboratory
PCM, PLM, TEM

in the State of Texas within the purview of Texas Occupations Code, chapter 1954, so long as this license is not suspended or revoked and is renewed according to the rules adopted by the Texas Board of Health.

A handwritten signature in black ink, appearing to read "David Lahey, M.D.", written in a cursive style.

DAVID LAKEY, M.D.
COMMISSIONER OF HEALTH

License Number: 300084

Expiration Date: 5/31/2010

Control Number: 95509

(Void After Expiration Date)

VOID IF ALTERED NON-TRANSFERABLE



TEXAS DEPARTMENT OF STATE HEALTH SERVICES

SIGMA ENVIRONMENTAL SOLUTIONS, INC

is certified to perform as a

Asbestos Consultant Agency

in the State of Texas within the purview of Texas Occupations Code, chapter 1954, so long as this license is not suspended or revoked and is renewed according to the rules adopted by the Texas Board of Health.

A handwritten signature in black ink, appearing to read "David Lakey".

DAVID LAKEY, M.D.
COMMISSIONER OF HEALTH

License Number: 100410

Expiration Date: 5/29/2010






Control Number: 96129

(Void After Expiration Date)

VOID IF ALTERED NON-TRANSFERABLE

Σ SIGMA Environmental Solutions, Inc.

Rick D. Orr

<p align="center">Texas Department of State Health Services</p> <p align="center">Asbestos Individual Consultant</p> <p>RICARDO D ORR License No. 105103 Control No. 95582 Expiration Date: 03/11/2010</p> 	<p align="center">Ricardo D. Orr</p> <p align="center">Air Monitoring Technician Annual Update 11/9/2009</p> <p>Expires: 11/9/2010 Cert. No.: 100.001.169.034</p> <p align="right">Scientific Investigation & Instruction Institute <small>1111 Riquelme Blvd Fort Worth, Texas, 76104-1231 A. Orr 817-338-9192 Fax 817-338-9192</small></p>  <p align="right">Fax 817-338-9192 A. Orr 817-338-9192</p>
<p>Individual Asbestos Consultant Tx DSHS #10-5103 Expires: 3/11/10</p>	<p>Air Monitoring Technician Expires: 11/9/10 Refresher Course</p>
<p align="center">Ricardo D. Orr</p> <p align="center">Design of ACM Abatement Projects Annual Update 11/10/2009</p> <p>Expires: 11/10/2010 Cert. No.: 100.001.169.033</p>  <p align="right"><small>1111 Riquelme Blvd Fort Worth, Texas, 76104-1231 A. Orr 817-338-9192 Fax 817-338-9192</small></p>	<p align="center">Ricardo D. Orr</p> <p align="center">Inspecting Buildings for ACM Annual Update 11/11/2009</p> <p>Expires: 11/11/2010 Cert. No.: 100.001.169.031</p>  <p align="right"><small>1111 Riquelme Blvd Fort Worth, Texas, 76104-1231 A. Orr 817-338-9192 Fax 817-338-9192</small></p>
<p>Project Design Expires: 11/10/10 Refresher Course</p>	<p>Building Inspector Expires: 11/11/10 Refresher Course</p>
<p align="center">Ricardo D. Orr</p> <p align="center">Managing ACM in Buildings Annual Update 11/11/2009</p> <p>Expires: 11/11/2010 Cert. No.: 100.001.169.032</p>  <p align="right"><small>1111 Riquelme Blvd Fort Worth, Texas, 76104-1231 A. Orr 817-338-9192 Fax 817-338-9192</small></p>	
<p>Management Planner Expires: 11/11/10 Refresher Course</p>	

Σ SIGMA ENVIRONMENTAL SOLUTIONS, INC.

CERTIFICATE OF COMPLETION

TO: RAK One Main Place Associates, L.P.

OWNER/Manager

PROJECT NAME: One Main Place 17 Floor Renovation

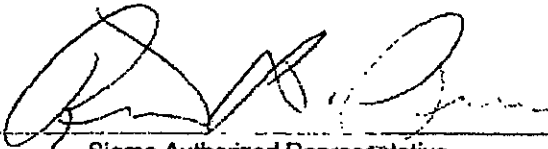
PROJECT ADDRESS: 1201 Main Street, Dallas, Texas 75202

LOCATION

WITHIN BUILDING: Third (3rd) Floor

The work for the above referenced project has been completed in accordance with applicable requirements of the United States Environmental Protection Agency, the Occupational Safety and Health Administration, the National Institute for Occupational Safety and Health, and state, county, and local agencies.* The work has also been performed in accordance with the Project Manual as prepared by the **CONSULTANT**.

SIGNED: _____


Sigma Authorized Representative

DATE: March 10, 2009

* With the exception of floor tile and mastic under the safes in Room 124 and under the transformer in the electrical room in the west elevator foyer.

Σ SIGMA ENVIRONMENTAL SOLUTIONS, INC.

CERTIFICATE OF COMPLETION

TO: RAK One Main Place Associates, L.P.

OWNER/Manager

PROJECT NAME: One Main Place 17 Floor Renovation

PROJECT ADDRESS: 1201 Main Street, Dallas, Texas 75202

LOCATION

WITHIN BUILDING: Eighth (8th) Floor

The work for the above referenced project has been completed in accordance with applicable requirements of the United States Environmental Protection Agency, the Occupational Safety and Health Administration, the National Institute for Occupational Safety and Health, and state, county, and local agencies. The work has also been performed in accordance with the Project Manual as prepared by the **CONSULTANT**.

SIGNED: _____


Sigma Authorized Representative

DATE: _____

5-12-08

Σ SIGMA ENVIRONMENTAL SOLUTIONS, INC.

CERTIFICATE OF COMPLETION

TO: RAK One Main Place Associates, L.P.
OWNER/Manager

PROJECT NAME: One Main Place 17 Floor Renovation

PROJECT ADDRESS: 1201 Main Street, Dallas, Texas 75202

LOCATION

WITHIN BUILDING: Ninth (9th) Floor

The work for the above referenced project has been completed in accordance with applicable requirements of the United States Environmental Protection Agency, the Occupational Safety and Health Administration, the National Institute for Occupational Safety and Health, and state, county, and local agencies. The work has also been performed in accordance with the Project Manual as prepared by the **CONSULTANT**.

SIGNED: _____


Sigma Authorized Representative

DATE: _____

11-13-08

Σ SIGMA ENVIRONMENTAL SOLUTIONS, INC.

CERTIFICATE OF COMPLETION

TO: RAK One Main Place Associates, L.P.
OWNER/Manager

PROJECT NAME: One Main Place 17 Floor Renovation

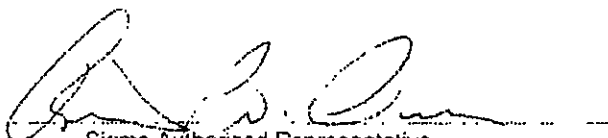
PROJECT ADDRESS: 1201 Main Street, Dallas, Texas 75202

LOCATION

WITHIN BUILDING: Tenth (10th) Floor

The work for the above referenced project has been completed in accordance with applicable requirements of the United States Environmental Protection Agency, the Occupational Safety and Health Administration, the National Institute for Occupational Safety and Health, and state, county, and local agencies. The work has also been performed in accordance with the Project Manual as prepared by the **CONSULTANT**.

SIGNED: _____


Sigma Authorized Representative

DATE: _____

11-13-08

Σ SIGMA ENVIRONMENTAL SOLUTIONS, INC.

CERTIFICATE OF COMPLETION

TO: RAK One Main Place Associates, L.P.
OWNER/Manager

PROJECT NAME: One Main Place 17 Floor Renovation

PROJECT ADDRESS: 1201 Main Street, Dallas, Texas 75202

LOCATION
WITHIN BUILDING: Eleventh (11th) Floor

The work for the above referenced project has been completed in accordance with applicable requirements of the United States Environmental Protection Agency, the Occupational Safety and Health Administration, the National Institute for Occupational Safety and Health, and state, county, and local agencies. The work has also been performed in accordance with the Project Manual as prepared by the **CONSULTANT**.

SIGNED: 
Sigma Authorized Representative

DATE: 12-19-08

Σ SIGMA ENVIRONMENTAL SOLUTIONS, INC.

CERTIFICATE OF COMPLETION

TO: RAK One Main Place Associates, L.P.

OWNER/Manager

PROJECT NAME: One Main Place 17 Floor Renovation

PROJECT ADDRESS: 1201 Main Street, Dallas, Texas 75202

LOCATION

WITHIN BUILDING: Eighteenth (18th) Floor

The work for the above referenced project has been completed in accordance with applicable requirements of the United States Environmental Protection Agency, the Occupational Safety and Health Administration, the National Institute for Occupational Safety and Health, and state, county, and local agencies. The work has also been performed in accordance with the Project Manual as prepared by the **CONSULTANT**.

SIGNED: _____


Sigma Authorized Representative

DATE: _____

MARCH 03 2008

Σ SIGMA ENVIRONMENTAL SOLUTIONS, INC.

CERTIFICATE OF COMPLETION

TO: RAK One Main Place Associates, L.P.

OWNER/Manager

PROJECT NAME: One Main Place 17 Floor Renovation

PROJECT ADDRESS: 1201 Main Street, Dallas, Texas 75202

LOCATION

WITHIN BUILDING: Twenty-First (21st) Floor

The work for the above referenced project has been completed in accordance with applicable requirements of the United States Environmental Protection Agency, the Occupational Safety and Health Administration, the National Institute for Occupational Safety and Health, and state, county, and local agencies. The work has also been performed in accordance with the Project Manual as prepared by the **CONSULTANT**.

SIGNED: _____


Sigma Authorized Representative

DATE: _____

11-13-08

Σ SIGMA ENVIRONMENTAL SOLUTIONS, INC.

CERTIFICATE OF COMPLETION

TO: RAK One Main Place Associates, L.P.

OWNER/Manager

PROJECT NAME: One Main Place 17 Floor Renovation

PROJECT ADDRESS: 1201 Main Street, Dallas, Texas 75202

LOCATION

WITHIN BUILDING: Twenty-fifth (25th) Floor

The work for the above referenced project has been completed in accordance with applicable requirements of the United States Environmental Protection Agency, the Occupational Safety and Health Administration, the National Institute for Occupational Safety and Health, and state, county, and local agencies. The work has also been performed in accordance with the Project Manual as prepared by the **CONSULTANT**.

SIGNED: _____


Sigma Authorized Representative

DATE: _____

5-12-08

Σ SIGMA ENVIRONMENTAL SOLUTIONS, INC.

CERTIFICATE OF COMPLETION

TO: RAK One Main Place Associates, L.P.

OWNER/Manager

PROJECT NAME: One Main Place 17 Floor Renovation


PROJECT ADDRESS: 1201 Main Street, Dallas, Texas 75202

LOCATION

WITHIN BUILDING: Twenty-sixth (26th) Floor

The work for the above referenced project has been completed in accordance with applicable requirements of the United States Environmental Protection Agency, the Occupational Safety and Health Administration, the National Institute for Occupational Safety and Health, and state, county, and local agencies. The work has also been performed in accordance with the Project Manual as prepared by the **CONSULTANT**.

SIGNED: _____


Sigma Authorized Representative

DATE: _____

7-30-08

Σ SIGMA ENVIRONMENTAL SOLUTIONS, INC.

CERTIFICATE OF COMPLETION

TO: RAK One Main Place Associates, L.P.

OWNER/Manager

PROJECT NAME: One Main Place 17 Floor Renovation

PROJECT ADDRESS: 1201 Main Street, Dallas, Texas 75202

LOCATION

WITHIN BUILDING: Twenty-ninth (29th) Floor

The work for the above referenced project has been completed in accordance with applicable requirements of the United States Environmental Protection Agency, the Occupational Safety and Health Administration, the National Institute for Occupational Safety and Health, and state, county, and local agencies. The work has also been performed in accordance with the Project Manual as prepared by the **CONSULTANT**.

SIGNED: _____


Sigma Authorized Representative

DATE: _____

4-07-08

S SIGMA ENVIRONMENTAL SOLUTIONS, INC.

CERTIFICATE OF COMPLETION

TO: RAK One Main Place Associates, L.P.

OWNER/Manager

PROJECT NAME: One Main Place 17 Floor Renovation

PROJECT ADDRESS: 1201 Main Street, Dallas, Texas 75202

LOCATION

WITHIN BUILDING: Thirty-first (31st) Floor

The work for the above referenced project has been completed in accordance with applicable requirements of the United States Environmental Protection Agency, the Occupational Safety and Health Administration, the National Institute for Occupational Safety and Health, and state, county, and local agencies. The work has also been performed in accordance with the Project Manual as prepared by the **CONSULTANT**.

SIGNED: _____


Sigma Authorized Representative

DATE: _____

MARCH 27, 2008

SIGMA ENVIRONMENTAL SOLUTIONS, INC.

CERTIFICATE OF COMPLETION

TO: RAK One Main Place Associates, L.P.

OWNER/Manager

PROJECT NAME: One Main Place 17 Floor Renovation

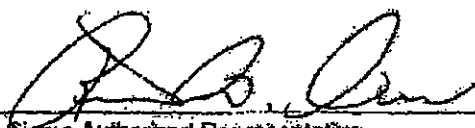
PROJECT ADDRESS: 1201 Main Street, Dallas, Texas 75202

LOCATION

WITHIN BUILDING: Thirty-second (32nd) Floor

The work for the above referenced project has been completed in accordance with applicable requirements of the United States Environmental Protection Agency, the Occupational Safety and Health Administration, the National Institute for Occupational Safety and Health, and state, county, and local agencies. The work has also been performed in accordance with the Project Manual as prepared by the **CONSULTANT**.

SIGNED: _____


Sigma Authorized Representative

DATE: _____

March 19, 2008

Fan Coil Unit Maintenance Procedures

- Check for water leaks, repair or replace if necessary.
- Check for air leaks, repair or replace if necessary
- Check power, repair or replace if necessary
- Check thermostat - replace if necessary
- Check motor - replace if necessary
- Check fan and housing - repair or replace if necessary
- Check heat element - replace if necessary
- Check chill water valve - repair or replace if necessary
- Check pressure switch - repair or replace if necessary
- Clean coils
- Clean motor
- Clean condensate pan
- Check insulation on condensate pan - repair or replace if necessary
- Replace filters
- Clean grills

NOTE: DO NOT DISTURB ANY MASTIC OR PIPE WRAP. IF REPAIRS ARE NECESSARY AND IT INVOLVES ANY MASTIC OR PIPE WRAP, PLEASE GO TO THE PROPERTY MANAGER AND HAVE THEM CONTACT THE ENVIRONMENTAL CONSULTANT.

2009

BANK OF AMERICA WORK ORDERS

Date	Time of Call	Name of Caller	Floor	Issue	WO #	Category	Time Dispatched	Service Tech	What Was Done	Time Completed	Landlords Comments
1/5/09	8:04 AM	C.Eaker	6	no power	B5008536-1	Lights	8:34 AM	(E8)/(E4)	replaced bulbs/ reports issue to (E4)	9:03 AM	Normal Maintenance
1/5/09	11:13 AM	C. Eaker	6	no power	B5008536-1	Electricity	11:44 AM	(E4)	reports the breaker was off, now on	11:44 AM	Normal Maintenance
1/5/09	10:21 AM	L. Rhodes	21	to cold	B5008889-1	HVAC	10:22 AM	(E1)	reports temp to E1, reports temp was at 70, made adjustments on comp. to 72.	10:48 AM	Normal Maintenance
1/5/09	11:28 AM	A.Orozco	8	to cold	B5009209-3	HVAC	11:30 AM	(E7)	reports temp was 68, made adjustments to 70	11:59 AM	Normal Maintenance
1/6/09	11:34 AM	D.Salazar	7	lights out	B5010842-2	Lights	11:34 AM	(E8)	reports replacing two lights in hallway	2:00 PM	Normal Maintenance
1/6/09	1:11 PM	B.McElyea	25	to cold	B5010965-5	HVAC	1:15 PM	(E4)	reports temp on unit was at 70, made adjust. To 72 and reports issue to (E1) to check in comp.	1:33 PM	Normal Maintenance
1/7/09	11:08 AM	G. Smith	26	coffee maker not working	B5012294-3	Plumbing	11:40 AM	(E4)	reports water was turned off and disattached to coffe maker due to item needing to be replaced.	2:38 PM	Tenant issue
1/7/09	11:17 AM	S.Nguyen	4	lights out	B5012376-2	Lights	11:20 AM	(E8)	reports replacing several flourescent lights	2:12 PM	Normal Maintenance
1/7/09	12:12 PM	B.McElyea	25	hot	B5012518-1	HVAC	12:20 PM	(E1)	reports temp was at 75, made adjustments to 73.	1:12 PM	Normal Maintenance
1/7/09	12:16 PM	B.McElyea	25	window unit leaking	B5012518-2	Leaks	12:36 PM	(E4)	window unit was leaking a little water, turned unit off to repair.now in use and ok	2:28 PM	Normal Maintenance
1/8/09	8:49 AM	S. Heller	6	lights out	B5013787-1	Lights	8:50 AM	(E8)	reports replacing several lights threw out the floor	9:30 AM	Normal Maintenance
1/8/09	1:25 PM	B.McElyea	25	to cold	B5014337-1	HVAC	1:30 PM	(E1)	reports making a call to Divcon for the 25th floor. A call was also placed on the 1/7/09 to Divcon.	2:11 PM	Construction related
1/12/09	10:22 AM	R. Doss	6	lights out	B5017304-2	Lights	10:45 AM	(E8)	reports lights in training room have been replaced	11:30 AM	Normal Maintenance
1/13/09	7:45 AM	T. Crain	21	to cold	B5018526-1	HVAC	7:45 AM	(E7)	reports temp in area is 71 degrees, reports unit to (E1) to make adjustments	8:09 AM	Normal Maintenance
1/13/09	2:35 PM	R. Weeks	32	ceiling tile	B5019471-2	Leaks	2:38 PM	(E7)	reports replacing 1 stained ceiling tile	3:00 PM	Normal Maintenance
1/14/09	7:55 AM	S.Payne	8	water leaks	B5019919-1	HVAC	8:15 AM	(E4)	(E4) reports tracking down water leak that's coming from 9th fl. To 8th.and take care of the issue.	9:00 AM	Tenant issue
1/14/09	7:58 AM	D. Pyeatt	21	hot	B5019979-2	HVAC	8:17 AM	(E7)	report the heat was on/ turned heat off and turned on the ac unit	8:33 AM	Normal Maintenance

2009



BANK OF AMERICA WORK ORDERS

1/14/09	8:08 AM	M. Hampton	25	sink clogged	B5020041-1	Plumbing	9:00 AM	(E4)	reports unclogging kitchen sink, now water runs down drain no problem	9:34 AM	Tenant issue
1/14/09	1:00 PM	S. Brown	21	light cover	B5020651-1	Lights	1:05 PM	(J3)	reports replacing 1 light cover that was hanging	2:00 PM	Normal Maintenance
1/15/09	2:59 PM	P. Benford	26	food spill	B5022467-1	Janitorial	3:02 PM	(J2)	reports taking a broom/ dustpan for a food cleanup that spilled on carpet.	3:15 PM	Tenant issue
1/20/09	9:09 AM	D. Pyeatt	21	hot	B5019979-2	HVAC	9:10 AM	(E7) / (E1)	reports checked floor temp again still a little warm, (E7) reports unit to (E1) to make adjust. In comp.	9:21 AM	Normal Maintenance
1/20/09	9:05 AM	R. Weeks	32	no power	B5025203-2	Electricity	9:10 AM	(E5)	reports breaker was off, now back on	9:34 AM	Normal Maintenance
1/22/09	11:00 AM	R. Raasch	26	hot	B5028675-3	HVAC	11:01 AM	(E7)	reports making adjust. To the comp to turn off heat and turn on ac.	11:25 AM	Normal Maintenance
1/22/09	12:18 PM	B. McElyea	25	to cold	B5029054-3	HVAC	12:18 PM	(E7) / (E1)	reports east side of the fl. Needs to be adjust. By comp., (E1) made adjust.	12:30 PM	Normal Maintenance
1/22/09	1:58 PM	B. McElyea	25	to cold	B5029501-1	HVAC	2:00 PM	(E7)	reports making adjust. To the comp	2:22 PM	Normal Maintenance
1/23/09	10:39 AM	K. Hogan	21	to cold	B5030104-1	HVAC	10:45 AM	(E1)	reports northwest side to (E1) as he made adjustments to the comp. to the whole west side was to hot	11:00 AM	Normal Maintenance
1/23/09	12:05 PM	B. McElyea	25	to cold	B5030565-1	HVAC	12:10 PM	(E5)	reports adjusting vent above tenants desk.	12:22 PM	Normal Maintenance
1/26/09	9:18 AM	L. Thompson	21	lights blinking	B5031680-2	Lights	9:20 AM	(E8)	reports replacing blinking lights on SW corner of fl.	11:15 AM	Normal Maintenance
1/26/09	9:38 AM	L. Thompson	21	lights out	B5031680-2	Lights	9:40 AM	(E8)	operator reports call was sent out twice, call has already been taking care off	9:44 AM	Duplicate call
1/26/09	9:20 AM	J. Wafer	6	lights out	B5031813-4	Lights	9:22 AM	(E8)	reports lights have been replaced	10:00 AM	Normal Maintenance
1/26/09	10:49 AM	G. McNealis	6	toilet clogged	B5032196-2	Plumbing	11:23 AM	(E4)	reports fissus was clogging up the toilet, now unclogged	11:54 AM	Normal Maintenance
1/26/09	12:49 PM	B. McElyea	25	hot	B5032247-2	HVAC	1:00 PM	(E1)	reports talking with Brenda on 1/23/09 about the HVAC problem, (E1) informed her that the building is building standard temp, there nothing more we can do at this point. again on 1/26/09	1:00 PM	No Problem
1/27/09	8:58 AM	T. LaMere	21	to cold	B5033417-1	HVAC	9:00 AM	(E4) / (E1)	(E4) reports a few units are off and not working from 21st fl. To 25th fl.. (E1) contacts Divcon and inform them of whats goin on with ac units.	9:28 AM	Construction related

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1/29/09	9:00 AM	B.McElyea	25	to cold	B5037365-1	HVAC	9:10 AM	(E5)	reports temp. 70 on SE, 1/28/09 Divcon was reports working on units, units are still not working. (E5) reports closing a few vents til ac unit is adjusted.	9:40 AM	Construction related
1/30/09	9:39 AM	R.Weeks	32	ac unit is noise	B5038772-2	HVAC	10:39 AM	(E6)	unit had loose bolts coming from unit, bolts has been tightened and now no rattling noise	11:00 AM	Normal Maintenance
2/2/09	1:35 PM	R.Doss	6	MR Door handle	B5040425-2	Doors & Locks	2:00 PM	(E7)	replaced plunger on door	2:21 PM	Normal Maintenance
2/3/09	8:51 AM	T.Houchins	21	hot	B5041681-1	HVAC	8:51 AM	(E5)	reports ac unit on northwest side was adjusted	9:10 AM	Normal Maintenance
2/3/09	10:31 AM	B.McElyea	25	hot	B5042049-1	HVAC	10:31 AM	(E1)	reports making adjust. To the comp.	10:35 AM	Normal Maintenance
2/6/09	7:45 AM	S.Payne	8	hot	B5046224-1	HVAC	8:27 AM	(E5)	reports temp was at 75, set thermo. To 73	9:00 AM	Normal Maintenance
2/9/09	8:41 AM	S.Heller	6	lights out	B5047391-2	Lights	8:45 AM	(E8)	reports replacing 3 lights out on south side	9:08 AM	Normal Maintenance
2/9/09	12:00 PM	R.Weeks	32	cold	B5048509-2	HVAC	12:02 PM	(E5)	reports unit temp is at 72, set temp to 75	12:15 PM	Normal Maintenance
2/10/09	3:48 PM	C.Leeth	32	hot	B5049797-1	HVAC	3:50 PM	(E7)	reports making adjust. To the comp.	4:12 PM	Normal Maintenance
2/11/09	12:16 PM	N.Szymczyk	6	hot	B5051688-1	HVAC	1:00 PM	(E4)	reports setting thermo. To 73, temp was at 71	1:12 PM	Normal Maintenance
2/12/09	1:08 PM	A.Orozco	8	cold	B5053448-2	HVAC	1:10 PM	(E5)	reports window unit was off/ turned heat on	1:33 PM	Normal Maintenance
2/13/09	9:21 AM	N.Szymczyk	6	hot	B5054470-1	HVAC	10:00 AM	(E7)	reports set temp is at 77.8,dropped to 73	10:51 AM	Normal Maintenance
2/13/09	12:51 PM	S.Parlin	6	hot	B5054902-1	HVAC	12:55 PM	(E4)	reports unit was off, turned unit on	2:06 PM	Normal Maintenance
2/17/09	9:02 AM	B.McElyea	25	keys	B5056005-2	Keys	9:02 AM	(E7)	reports key is still on construction cord.	9:51 AM	Construction related
2/17/09	9:23 AM	R.Hakul	21	hot	B5056050-1	HVAC	9:35 AM	(E4)	reports temp tp (E1), he made adjust. Tp comp.	10:03 AM	Normal Maintenance
2/19/09	4:46 PM	R.Doss	6	lights out	B5058744-2	Lights	4:50 PM	(E8)	reports taking care of those light at 9:40.WO just came thru at 17:46	4:50 PM	Normal Maintenance
2/19/09	8:49 AM	R.Weeks	32	dust	B5059111-1	Janitorial	8:50 AM	(J1)	reports area in ass. Hub has been cleaned	9:06 AM	Normal Maintenance
2/19/09	1:59 PM	B.McElyea	25	cold	B5059822-1	HVAC	2:00 PM	(E7)	reports making adjust. To the comp.	2:12 PM	Normal Maintenance
2/20/09	8:08 AM	S.Payne	8	hot	B5060376-1	HVAC	8:10 AM	(E7)	temp 74,made adjust to 72 in comp.	8:15 AM	No Problem
2/23/09	10:19 AM	B.McElyea	25	hot	B5062591-1	HVAC	10:26 AM	(E4)	reports unit to (E1), made adjust. To comp	10:26 AM	Normal Maintenance

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2/24/09	4:04 PM	B.McElyea	25	cold	B5064958-1	HVAC	4:04 PM	(E5)	reports temp to (E1) ,make adjust. To comp.	4:16 PM	Normal Maintenance
2/26/09	8:35 AM	R.Weeks	32	hot	B5066804-1	HVAC	8:38 AM	(E5) (E7)	(E5) reports unit to (E7) to make adjust.to comp	9:00 AM	Normal Maintenance
2/26/09	3:22 PM	A.Haddox	21	vent blowing to hard	B5067862-1	HVAC	3:33 PM	(E7)	reports closing vents slightly so air will not blowo hard.	3:50 PM	Normal Maintenance
3/2/09	11:10 AM	B.McElyea	25	hot	B5070465-2	HVAC	12:10 PM	(E5)	reports temp to (E1) ,make adjust. To comp.	12:15 PM	Normal Maintenance
3/3/09	10:42 AM	S.Payne	8	LR running toilet	B5071852-2	Plumbing	10:42 AM	(E4)	reports toilet was stopped up, toilet stop running	11:00 AM	Normal Maintenance
3/3/09	12:31 PM	C.Morones	26	vent blowing to hard	B5072148-2	HVAC	12:35 PM	(E7)	reports adjusting the vents over 26.153	1:00 PM	Normal Maintenance
3/5/09	2:36 PM	R.Murray	18	noise	B5075733-1	Security	2:50 PM	(S2)	reports security went to invest. Found nothing	3:00 PM	No Problem
3/6/09	8:55 AM	R.Murray	25	clean up	B5076375-1	Janitorial	8:55 AM	(J2)	reports spill on floor was cleaned up	9:10 AM	Tenant issue
3/10/09	8:36 AM	T.Houchins	21	tissue	B5079685-1	Janitorial	9:00 AM	(J2)	reports tissue has been restocked	9:18 AM	Normal Maintenance
3/10/09	8:40 AM	K.Harsha	32	hot	B5079763-1	HVAC	8:50 AM	(E4)	reports large conference room has been adjust.	9:00 AM	Normal Maintenance
3/10/09	3:55 PM	J.Walling	6	LR/soap dispenser	B5080825-1	Janitorial	3:55 PM	(J2)/(E7)	(E7)replaced the despencer,cleanup is done.	4:12 PM	Normal Maintenance
3/11/09	4:30 PM	B.McElyea	25	cold	B5081829-2	HVAC	4:32 PM	(E6)	reports temp to (E1) ,make adjust. To comp.	4:45 PM	Normal Maintenance
3/11/09	12:56 PM	J.Altmann	29	cold	B5082027-1	HVAC	1:27 PM	(E6)	reports closing vents slightly	4:00 PM	Normal Maintenance
3/13/09	11:55 AM	J.Crawley	8	cold	B5084864-1	HVAC	11:55 AM	(E7)	reports adjusting temp in comp.	12:13 PM	Normal Maintenance
3/13/09	2:54 PM	S.Heller	6	trash	B5085074-1	Janitorial	2:54 PM	(J2)	reports picking up trash	3:05 PM	Tenant issue
3/18/09	8:04 AM	A.Walling	6	MR Door donot lock	B5089286-2	Doors & Locks	8:06 AM	(E7)	reports door has reader locks/waiting for Bud	8:46 AM	Tenant issue
3/18/09	8:49 AM	S.Richards	6	hot	B5089647-2	HVAC	8:49 AM	(E1)/ (E5)	(E1) made adjust. In comp.(E5) adjust. Thermo.	9:16 AM	Normal Maintenance
3/19/09	11:43 AM	I.Ramirez	6	lights out	B5091478-2	Lights	11:45 AM	(E7)	reports no power, breaker was flipped	12:00 PM	Normal Maintenance
3/23/09	4:49 PM	J.Altmann	29	cold	B5082027-3	HVAC	4:49 PM	(E6)	reports making adjust to thermo.(E1)make adjust to the comp.	4:59 PM	Normal Maintenance
3/23/09	9:01 AM	J.Blair	6	clean up	B5094619-1	Janitorial	9:01 AM	(J4)	reports water on floor was wipped up.	9:23 AM	Tenant issue
3/23/09	11:41 AM	A.Orozco	8	lights out	B5094709-2	Lights	11:41 AM	(E8)	replaced what he could, order the rest, inform bud due to lights needed trewout dept.	2:26 PM	Normal Maintenance
3/24/09	12:46 PM	C.Morones	6	spill	B5096964-1	Janitorial	12:51 PM	(J4)	reports someone waste water on the carpet	1:00 PM	Tenant issue

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3/24/09	12:38 PM	C.Morones	26	tissue	B5096964-2	Janitorial	12:38 PM	(J4)	reports restrooms are fully stocked with tissue	12:51 PM	Normal Maintenance
3/26/09	9:52 AM	C.Morones	26	waterin carpet	B5099720-1	Janitorial	9:52 AM	(J4) / (E4)	(J4) wet vacuum while (E4) take care of condensation.	10:15 AM	Normal Maintenance
3/27/09	3:26 PM	C.Morones	26	stain	B5099720-1	Janitorial	3:33 PM	(J2) / (E6)	(E6) reports the stain to the evening cleaning crew to be cleaned(J2) reports stain has been taking care of	3:33 PM	Tenant issue
3/27/09	4:40 PM	I.Ramirez	6	lights out	B5101972-3	Lights	8:03 AM	(J3)	Replaced lights	8:17 AM	Normal Maintenance
3/27/09	6:55 PM	I.Ramirez	6	lights out	B5101972-3	Lights	6:55 PM	(J3)	after hour call was taking care of on 3/28	8:17 AM	Normal Maintenance
3/30/09	3:25 PM	A.Walling	6	stairwell door	B5102873-2	Doors & Locks	3:25 PM	(E7)	reports this issue with Bud to work out a plan.Per Bud	3:48 PM	Tenant issue
4/1/09	11:04 AM	S.Nguyen	4	lights out	B5012376-3	Lights	11:33 AM	(J4)	reports lights have been replaced	12:44 PM	Normal Maintenance
4/1/09	6:01 AM	B.McElyea	25	cold	B5105551-2	HVAC	8:24 AM	(E5)	reports temp on fl.is 70, (E1) can't make adjust. Due to comp. having a problem.	8:32 AM	Normal Maintenance
4/6/09	8:48 AM	A.Orozco	8	toilet over flow	B5110772-4	Plumbing	8:51 AM	(E5)	reports to Ron w/Cbre to replace batteryin diaphragm	9:00 AM	CBRE
4/7/09	8:50 AM	T.Smith	29	water leak	B5111358-2	Leak	9:10 AM	(E4)	reports taking care of leak at cubicle29-167	8:40 AM	Normal Maintenance
4/8/09	11:04 AM	S.Collins	26	cold	B5113904-1	HVAC	11:04 AM	(E7)	reports making adjustments	11:24 AM	Normal Maintenance
4/8/09	11:57 AM	S.Heller	6	bugs	B5113956-1	Terminix	11:57 AM	(A5)	reports pest problem in Terminix work book	12:24 PM	Normal Maintenance
4/9/09	2:44 PM	S.Heller	6	lights out	B5113960-2	Lights	3:00 PM	Bud Sills	reports construction is going on that fl.	3:00 PM	Normal Maintenance
4/10/09	4:14 PM	S.Payne		time	B5116041-2	Elevators	4:14 PM	(A5)	elevators are allways running except to the const. fl.	4:15 PM	Elevator
4/11/09	10:25 AM	B.McElyea	25	lights out	B5116338-2	Lights	10:25 AM	(J3)	reports replacing one light.	10:52 AM	Normal Maintenance
4/14/09	9:02 AM	R.Murray	19	elevators	B5119366-1	Elevators	9:02 AM	(S2) / 18	(S2) reports scratches on the elev. Doors on 19	9:46 AM	Elevator
4/20/09	7:26 AM	K.Smith	8	clean up	B5124755-2	Janitorial	7:26 AM	(J4)	reports cleaning LR and the small break room	8:20 AM	Tenant issue
4/22/09	10:04 AM	G.Whalen	6	lights out	B5120595-2	Lights	10:04 AM	(J2)	reports replacing a few lights	10:34 AM	Normal Maintenance
4/22/09	12:40 PM	D.Thompson	6	stained carpet	B5126712-2	Janitorial	12:40 PM	(J2)	reprots the night cleaning crew took care of that stain	8:04 AM	Tenant issue
4/23/09	2:48 PM	B.McElyea	26	request for air	B5130536-2	HVAC	2:48 PM	(E1)	(E1) contacts B.McEylea to talk about night HVAC	2:50 PM	BoFA request
4/24/09	1:21 PM	C.Davis	6	cold	B5131630-2	HVAC	1:21 PM	(E6)	reports making adjust. To thermo. (E1) adjust by comp.	1:43 PM	Normal Maintenance

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4/24/09	1:49 PM	R.Murray	8	Fire Alarm pull open	B5132023-1	Security	1:49 PM	(S2)	Inroute to secure fire alarm cover that has come lose	3:15 PM	Security
4/24/09	2:51 PM	R.Murray	18	noise	B5132023-2	HVAC	2:55 PM	(E7)	reports vent was sltily closed making a wistling soundent was open and now no noise	3:25 PM	Normal Maintenance
4/27/09	1:32 PM	P.Benford	26	leak	B5134126-2	Leak	1:32 PM	(E5)	reports vent is leaking due to condensation	1:52 PM	Normal Maintenance
4/28/09	3:15 AM	B.McEylea	26	Vents are loud	B5131900-2	HVAC	3:15 AM	Security	This call came in at 3am/at 8am reports theres nothinge can do due to the kind of vents they have placed on the fl.	3:15 AM	Construction related
4/28/09	3:44 PM	B.McElyea	26	odor	B5135801-2	Odor	3:44 PM	(E6)	reports no water in sewage drain so when a breeze comes threw, the odor carries, (E6) put water in drain	4:00 PM	Normal Maintenance
4/29/09	9:55 AM	A.Orozco	8	lights out	B5137159-1	Lights	9:55 AM	(J3)	reports replcing several lights out threwout the lobby	11:00 AM	Normal Maintenance
4/29/09	9:56 AM	A.Orozco	8	hot	B5137159-2	HVAC	9:56 AM	(E5)	(E5) can't make adjust.due to graphics on 33/informed (E1)	10:40 AM	Construction related
5/4/09	3:25 PM	Doreen Honza	32	Leak in ceiling was dripping in a bucket, bucket was knocked over needs clean up	B5142814-1	Janitorial	3:53 PM	E6 & E7	tracing out problem	4:00 PM	Normal Maintenance
5/4/09	3:26 PM	D.Honza	32	leak	B5142814-2	Leak	3:26 PM	(E6) / (E7)	reports working together on leak that are in two sepearate spots, Bud Sills is disussing this issue with (E1) and (A2)	4:27 PM	Normal Maintenance
5/6/09	12:59 PM	E. Ruthart	11	cold	B5143951-3	HVAC	12:59 PM	(E5)	reports close vent over tenat desk.	9:49 AM	Construction related
5/6/09	9:01 AM	M.Craig	11	over flow	B5145058-1	Plumbing	9:01 AM	(E5) / (J2)	reports toilet unstopped. (J2) is now working on clean up	9:45 AM	Normal Maintenance
5/6/09	1:50 PM	R.Gore	6	no power	B5145860-1	Electricity	1:50 PM	(E5) / (J3)	reports power is off/ flip breaker and (J3) replace several lights that were out	2:25 PM	Normal Maintenance
5/6/09	4:35 PM	A.Orozco	8	bugs	B5146202-2	Terminix	4:35 PM	(A5)	reports pest problem in the Terminix book for the 8th fl.	4:35 PM	Normal Maintenance
5/7/09	3:28 PM	C.Fatima	11	cold	B5147051-2	HVAC	3:28 PM	(E1)	made adjust. In the comp.	4:15 PM	Construction related
5/8/09	3:20 PM	B.McElyea	25	hot	B5149346-2	HVAC	3:20 PM	(E6)	adjust. Thermostat and reported temp to (E1) to make adjust	3:47 PM	Normal Maintenance
5/10/09	9:00 AM	E.Ruthart	11	cold	B5146178-2	HVAC	9:00 AM	(E7)	reports weekend call, already taking care of.	9:00 AM	Normal Maintenance
5/11/09	9:23 AM	C.Fatima	11	cold	B5147051-2	HVAC	9:23 AM	(E1)	made adjust. In the comp.	9:23 AM	Construction related
5/12/09	9:00 AM	B.McElyea	25	hot	B5149325-2	HVAC	9:00 AM	(E7)	reports made adjust, on the comp.	9:18 AM	Normal Maintenance

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5/12/09	6:01 AM	F.Liefer	26	wet spot	B5150966-2	Janitorial	8:09 AM	(J2)	reports engineers are done put vent back up/clean wet spot	8:35 AM	Normal Maintenance
5/12/09	9:05 AM	R.Uselton	10	hot	B5151977-1	HVAC	9:07 AM	(E4)	replaced P.E switch on unit	9:27 AM	Normal Maintenance
5/12/09	8:00 AM	J.Falger	21	restock	B5152204-2	Janitorial	8:00 AM	(J2)	restock the paper towles in kitchen area	8:38 AM	Normal Maintenance
5/13/09	2:00 PM	J.Begue	25	cold	B5154590-1	HVAC	2:29 PM	(E7)	reports adjust. Tmp in the comp. temp was at 68	2:49 PM	Normal Maintenance
5/14/09	9:00 AM	P.Grace	26	leak	B5155369-1	Leak	9:03 AM	(E4)	reports tracking water leak,coming from window unit/nw off	9:23 AM	Normal Maintenance
5/14/09	11:12 AM	B.McElyea	26	oder	B5155605-2	HVAC	11:12 AM	(E7)	reports the heating elements i the unit was coming on	11:22 AM	Normal Maintenance
5/16/09	8:00 AM	E.Ruthart	11	cold	B5156485-2	HVAC	8:18 AM	(E7)	reports temp was adjusted by comp.	8:28 AM	Construction related
5/18/09	3:25 PM	B.Rogers	9	cold	B5159166-2	HVAC	3:25 PM	(E7)	reports the temp was at 72, adjust. To 74	3:45 PM	Normal Maintenance
5/19/09	9:35 AM	A.Orozco	8	lights out	B5161323-4	Lights	9:35 AM	(J3)	reports replacing several lights threwout the floor.	10:00 AM	Normal Maintenance
5/22/09	7:36 AM	K.Harsha	32	keys	B5163228-3	Keys	7:36 AM	(E7)	reports work order to (E7) per Bud Sills need this key for K128	8:00 AM	BofA request
5/22/09	8:10 AM	C.Morones	26	spill	B5164474-2	Janitorial	8:10 AM	(J2)	reports spill was cleaned up	8:28 AM	Tenant issue
5/22/09	8:28 AM	R.Uselton	10	power	B5165091-2	Electricity	8:28 AM	(A5)	reports this to Rena, was not aware that Bud was not at work Rena will inform Bud when he come in.	8:28 AM	Construction related
5/26/09	3:23 PM	E.Ruthart	11	cold	B5168060-1	HVAC	3:23 PM	(E7)	adjusted temp.in the comp.	3:49 PM	Construction related
5/27/09	4:00 PM	M.Craig	11	clogged toilet	B5168835-2	Plumbing	4:00 PM	(E6)	reports running a snake threw the drain, toilet unclogged	4:20 PM	Normal Maintenance
5/27/09	10:13 AM	B.Rogers	10	clogged toilet	B5169012-1	Plumbing	10:13 AM	(E4) / (A2)	reports running a snake threw the drain, toilet unclogged	11:44 AM	Normal Maintenance
5/29/09	8:17 AM	B.McElyea	25	hot	B5171386-2	HVAC	8:17 AM	(E7)	adjusted temp.in the comp. temp on fl.74	8:43 AM	Normal Maintenance
6/1/09	7:34 PM	M.Hiser	9	toilet not flush	B5175014-2	Plumbing	7:34 PM	(E4)	reports replacing the washers in the MR on toilet on 6/2/09	8:00 AM	Normal Maintenance
6/2/09	4:50 PM	K.Denton	21	hot	B5176588-1	HVAC	4:50 PM	(E6)	reports unit is not working/ reports unit was turned off	5:00 PM	Normal Maintenance
6/3/09	8:53 AM	S.Richards	6	lights out	B5176994-1	Lights	9:00 AM	(J3)	reports replacing several lights threwout the floor.	10:00 AM	Normal Maintenance
6/3/09	4:44 PM	R.Foreman	10	no cold water	B5178290-1	Plumbing	4:55 PM	(E6)	Buds knows the hot and cold water is working and water pressure is up.(E6) reproted it to Bud himself 6-4-09	8:34 AM	Normal Maintenance

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6/5/09	1:47 AM	K.Harsha	32	lights out	B5179419-2	Lights	1:47 AM	(J3)	(J3) replaced several lights throughout the fl. On 6/8/09, weekend	1:47 AM	Normal Maintenance
6/8/09	3:33 PM	C.Brantley	9	noise	B5181628-2	HVAC	3:33 PM	(E6)	reset vent, everything is working ok. No noise	4:06 PM	Normal Maintenance
6/8/09	3:01 PM	B.McElyea	26	spill	B5183709-1	Janitorial	3:01 PM	(J4)	reports the spill has been mopped up	3:23 PM	Tenant issue
6/8/09	3:53 PM	M.Craig	11	noise	B5183877-1	HVAC	3:53 PM	(E7)	reports unit is making a humming noise, unit is fine just a little loud	4:10 PM	Normal Maintenance
6/10/09	4:29 PM	K.Denton	21	hot	B5176588-1	HVAC	4:29 PM	(E6)	reports to (E1) to adjust in comp.	4:43 PM	Normal Maintenance
6/10/09	2:37 PM	K.Disque	21	lock jamed	B5187400-1	Doors & Locks	2:37 PM	(E7)	reports door lock was stuck, door now open	3:00 PM	Normal Maintenance
6/11/09	4:54 PM	S.Richards	6	hot	B5189496-1	HVAC	4:54 PM	(E1)	reports to (E1) to adjust in comp.	5:00 PM	Normal Maintenance
6/11/09	4:41 PM	C.Morones	26	hot	B5189499-1	HVAC	4:41 PM	(E1)	reports to (E1) to adjust in comp.	4:45 PM	Normal Maintenance
6/11/09	9:46 PM	Sandra Richards	6	Too hot	B5189509-2	HVAC			Afterhours call, AC is off		Afterhours call
6/11/09	9:44 PM	Toni Martin	18	Too hot	B5189572-2	HVAC	10:03 AM	(E7)	made adjust. To exterior unit	10:24 AM	Normal Maintenance
6/11/09	5:43 PM	A.Orozco	8	hot	B5189591-1	HVAC	5:43 PM	(E1)	reports to (E1) to adjust in comp.	4:49 PM	Normal Maintenance
6/11/09	10:12 PM	S.Tumbry	10	hot	B5189649-2	HVAC	10:12 PM	(E4)	afterhours call when arrived on floor area was cool	10:12 PM	No Problem
6/12/09	9:14 AM	R.Murray	4 & 7	door jamed	B5184821-1	Doors & Locks	9:29 AM	(E7)	reports doors has been taking care off	11:01 AM	Normal Maintenance
6/12/09	11:35 AM	B.McElyea	25	stain	B5190379-2	Janitorial	11:39 AM	(J2)	already on fl. Cleaning carpet	11:42 AM	Tenant issue
6/12/09	12:47 PM	R.Foreman	11	elev. #11	B5190589-1	Elevator	12:47 PM	18	Security inform 18 of the elevator entrapment	12:47 PM	Elevator
6/13/09	8:08 AM	B.McElyea	7	door locked	B5190526-2	Doors & Locks	8:08 AM	(E7)	reports door is now unlocked	8:20 AM	Normal Maintenance
6/16/09	12:59 PM	B.Rogers	9	Bugs	B5192959-2	Terminix	12:59 PM	(A5)	reports pest problem in the Terminix book for the 9th fl.	12:59 PM	Normal Maintenance
6/17/09	12:38 PM	B.McElyea	26	hot	B5196359-1	HVAC	12:38 PM	(E7)	made adjust. In the comp.	1:00 PM	Normal Maintenance
6/17/09	2:00 PM	T.Houchins	21	LR mopped	B5196957-1	Janitorial	2:00 PM	(J2)	reports mopping up water on the floor.	2:00 PM	Normal Maintenance
6/22/09	1:22 PM	D.Thayer	10	hot	B5201806-1	HVAC	1:22 PM	(E6)	reports fixed problem temp was 80, now at 75/74	2:00 PM	Construction related
6/22/09	8:30 AM	G.Whalen	6	leak	B5201905-2	Plumbing	8:30 AM	(E4)	reports toilet unclogged	9:00 AM	Normal Maintenance
6/22/09	2:51 PM	K.Denton	21	cold	B5202637-1	HVAC	2:51 PM	(E6)	reports temp was adjusted by comp.	2:51 PM	Normal Maintenance

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6/23/09	9:26 AM	A.Orozco	8	bugs	B5204509-2	Terminix	9:26 AM	(A5)	reports pest problem in the Terminix book for the 8th fl.	9:26 AM	Normal Maintenance
6/23/09	12:38 PM	B.McElyea	26	hot	B5204836-1	HVAC	12:38 PM	(E1)	reports heat issue to Tom w /Divcon on property	1:06 PM	Construction related
6/23/09	4:02 PM	N.Wafer	6	hot	B5205494-2	HVAC	4:02 PM	(E7)	reports made adjust, on the comp.	4:02 PM	Normal Maintenance
6/23/09	4:04 PM	C.Edwards	18	cold	B5205514-1	HVAC	4:04 PM	(E1)	made adjust. In the comp.	4:04 PM	Normal Maintenance
6/24/09	8:30 AM	D.Honza	32	hot	B5206033-1	HVAC	8:36 AM	(E1)	made adjust. In the comp.	8:36 AM	Normal Maintenance
6/24/09	9:26 AM	T.Martin	18	hot	B5206235-1	HVAC	9:26 AM	(E6)	made adjust. To exterior unit	9:26 AM	Normal Maintenance
6/24/09	11:21 AM	R.Foreman	11	hot	B5206481-1	HVAC	11:21 AM	(E7)	reports turning on the pneumatic valves to turn on the other 3 valves	11:55 AM	Construction related
6/24/09	8:08 AM	S.Heller	6	hot	B5207371-2	HVAC	8:08 AM	(E4)	reports adjust. The thermostat and reporting temp to (E1)	8:08 AM	Normal Maintenance
6/25/09	9:35 AM	N.Wafer	6	hot	B5205494-2	HVAC	9:35 AM	(E4)	made adjustments to 3 thermostats	9:35 AM	Normal Maintenance
6/25/09	12:22 PM	B.Rogers	9	hot	B5208132-1	HVAC	12:22 PM	(E6)	reports temp was adjusted by comp by (E1)	12:22 PM	Normal Maintenance
6/26/09	1:33 PM	S.Taylor	10	cleaning	B5210109-1	Janitorial	1:33 PM	(J2)	reports mopping and cleaning rest room	1:33 PM	normal Maintenance
6/27/09	4:52 AM	C.Brantley	9	ac not on	B5209298-2	HVAC	4:52 AM	After hours	ac unit was not on/ unit came on around noon	4:52 AM	Construction related
6/30/09	2:23 PM	B.McElyea	26	cold	B5213981-1	HVAC	2:23 PM	(E6)	closed the vent directly over tenants head	3:26 PM	Normal Maintenance
7/1/09	1:03 AM	Jacqueline Nicholson	6	Replace burned out ceiling lights in several places	B5214709-2	Lights	1:07 PM	J3	Replaced lights	1:46 PM	Normal Maintenance
7/1/09	11:31 PM	Luella Telker	29	New deodorizers installed in restrooms are too strong. Causing allergic reactions.	B5231619-2	CBRE	9:14 AM	E7	CBRE installed deodorizers. Turned back over to Bud Sills with CBRE	9:20 AM	CBRE
7/8/09	9:28 AM	Elayn Ruthart	11	Whistling sound coming from air vent and knocking sound from above	B5223494-2	Noise	8:17 AM	E7	Couldn't hear anything. Might have been from contractors working last night.	8:25 AM	Construction related
7/13/09	6:27 AM	Leticia Flores	3	Adjust temps in training rooms all are too hot	B5227315-1	HVAC	8:05 AM	E1	Have issues with EMS and BofA software	8:15 AM	Construction related
7/13/09	7:34 AM	Ron Murry	9	Repair window AC units NW side of floor	B5227393-1	HVAC	8:05 AM	E1	Made adjustments on computer	8:20 AM	Normal Maintenance

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7/14/09	7:32 PM	Leticia Flores	3	Adjust temps in training rooms all are too hot	B5227315-4	HVAC	8:07 AM	E1	AC is shut down at that time.		Afterhours call
7/14/09	12:39 PM	Cindy Neinast	21	2nd Stall won't flush in ladies rest room	B5230176-1	CBRE	8:40 AM	E4	Turned back over to CBRE engineering	8:40 AM	CBRE
7/14/09	9:20 PM	Kisha Brown	Lobby	Overtime air request for air for Banking Center	B5230545-2	HVAC			Wrong building		Wrong building
7/14/09	3:57 PM	David Estes	8	Unpleasant smell on floor	B5230649-1	Odor	4:16 PM	E6	Plate burned in microwave on 23rd floor	4:40 PM	Cause by other tenant
7/14/09	5:14 PM	Jaames Robbins	10	Unpleasant smell throughout floor	B5230775-2	Odor	8:05 AM	Janitorial	Found no smell	8:15 AM	Unkown
7/15/09	1:39 PM	Doreen Honza	32	Repair pipe that is leaking in ceiling	B5232016-1	Leak	1:45 PM	E7	Traced out pipe to 34th floor shut off water and repaired leak	3:44 PM	Normal Maintenance
7/15/09	2:00 PM	Doreen Honza	32	Clean up water on floor in the lab	B5232016-3	Janitorial	2:18 PM	J2	Cleaned up water	2:35 PM	Normal Maintenance
7/15/09	11:19 PM	Barbara Rogers	10	Spot clean floor - It appears that there is blood on the floor	B5232185-2	Janitorial	3:00 PM	J2	Passed on to night crew	3:05 PM	BofA request
7/16/09	1:02 PM	Jacqueline Nicholson	6	Replace burned out ceiling lights in several places	B5214709-2	Lights	3:12 PM	J3	Lights will be replaced first thing in the morning	9:00 AM	Normal Maintenance
7/16/09	11:20 PM	Barbara Rogers	9	Spot clean spill in front of glass doors	B5232190-2	Janitorial	3:01 PM	J2	Passed on to night crew	3:05 PM	BofA request
7/16/09	2:16 PM	Sharyn Nguyen	32	Puddles of water on floor, please mop up. Maybe from ceiling?	B5233886-2	Janitorial	2:18 PM	J2	Mpped up spills	2:35 PM	BofA request
7/18/09	1:48 PM	Martella Craig	10 & 11	After hours air on Monday 7/20/09 and Thursday 7/23/09 from 7pm till midnight	B5234263-2	HVAC	2:00 PM	E1	Put run times in computer	2:15 PM	BofA request
7/20/09	11:23 AM	Leticia Flores	3	Florida and Texas conference rooms are too cold	B5236918-1	HVAC	11:30 AM	E6	E6 checked floor. E7 couldn't change set points due to no graphics. E1 reports problem to Divcon at 12:13 PM	12:13 PM	Construction related
7/20/09	1:43 PM	Elayn Ruthart	11	Too cold in 11-017	B5237473-1	HVAC	3:00 PM	E6	Made adjustments on computer. Having issues with BofA software	3:25 PM	Construction related
7/21/09	1:38 PM	Brenda McEliea	26	AC making loud noise in southwest corner by Christine Chicovsky	B5239041-1	HVAC	4:17 PM	E7	Tightened FCU cover	4:28 PM	Normal Maintenance
7/28/09	3:09 PM	Leticia Flores	3	Cold in conference and training center	B5248461-1	HVAC	3:31 PM	E7	Reported problem to E1 Divcon is working on it	3:40 PM	Construction related
7/28/09	11:56 PM	Barbara Rogers	9	Location 09-177 is cold	B5248555-1	HVAC			HVAC off at that time.		Afterhours call

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7/29/09	10:38 AM	Leticia Flores	3	Georgia and Maryland rooms are too cold	B5249437-1	HVAC		E7	Reported problem to E1 Divcon is working on it. Called divcon		Construction related
7/29/09	8:08 AM	Cindy Neinast	21	Very cold in SE corner in the cubes away from the windows	B5250466-1	HVAC	8:35 AM	E7	HVAC off at that time. Temp was 74 degrees at 8:40 AM	8:45 AM	Afterhours call
7/30/09	6:52 PM	Christopher Brantly	?	Water is leaking from ceiling it appears to be coming from TH AC unit in that room	B5252200-1	Leak			No floor or location given		Unkown
8/1/09	6:40 AM	Anna Orozco	8	Loud noise (gurgling) coming from vent on west side near Kathy Smith,	B5248597-2	Noise			Call came on Saturday. No noise on Monday		Afterhours call
8/4/09	11:44 AM	Martella Craig	10 & 11	Bring 3 large blue trash bins. One for 10 and one for 11. Confirm with Martella that there will be janitorial this weekend. Food will need to be disposed of this weekend.	B5256986-2	Janitorial			Bins delivered		BofA request
8/5/09	9:51 PM	Christi Eaker	6	Ceiling light out Letter of Credit Dept. over her desk	B5256739-3	Lights	8:46 AM	J3	Replaced light bulb	9:00 AM	Normal Maintenance
8/5/09	9:35 PM	Christopher Brantly	10	Coke spill in cubicle 10-189	B5259558-2	Janitorial	8:52 AM	J2	Cleaned up spill	9:05 AM	Tenant issue
8/7/09	12:35 PM	Teresa Houchins	10	Very cold in work area AC control #FCU10-9	B5262035-2	HVAC	12:41 PM	E7	Temp at stat 73.4 space temp 74 set point is at 72	12:53 PM	No Problem
8/8/09	7:29 AM	Sarah Taylor	10	Please sweep floor in Instuction Unit area . This is a secured area see Sarah in the Mail Room for access	B5260155-2	Janitorial			Weekend call. Left message for Sunday cleaning crew		BofA request
8/10/09	3:05 PM	Teresa Houchins	10	Area very cold. AC unit #FCU10-9	B5264188-1	HVAC	3:21 PM	E6	Temp is 71 raised to 73	3:30 PM	Normal Maintenance
8/11/09	6:32 AM	Barbara Rogers	9	Repair toilets on 9 they don't appear to be flushing correctly	B5264730-2	Plumbing	8:35 AM	E7	Nothing wrong	8:50 AM	No Problem
8/11/09	10:51 AM	Leticia Flores	3	Team 1 and Team 2 are too warm	B5265701-1	HVAC	11:04 AM	E6	Checked rooms reported to E1. E1 made adjustments	11:25 AM	Construction related

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8/12/09	10:25 AM	Leticia Flores	3	North Carolina Training Center is too cold Class is in the room	B5267312-1	HVAC	10:28 AM	E7	72 temp No thermostat and no graphics. E1 reports not having any zones to read	10:50 AM	Construction related
8/12/09	10:04 AM	Leticia Flores	3	Conference/Training Center is too warm	No Number	HVAC	10:11 AM	E7	Temp 76 in rooms No thermostat no graphics can't make adjustments called E1 he reports not having any zones to read.	10:51 AM	Construction related
8/13/09	8:10 AM	Leticia Flores	3	Small break out room area Hvac needs to be set at 68 degrees max today for blood drive	B5268596-1	HVAC	8:28 AM	E1	Room temp 75, Set at lowest setpoint 72	8:36 AM	BofA request
8/13/09	10:15 AM	Anna Orozco	8	Water pressure issue. The building is working on it. Water is coming up in all the toilets on 8. The toilets have not overflowed yet but people are still using them and are uncomfortable with the water rising while they are using them.	B5268909-1	Plumbing	10:24 AM	E7	Reports running a cable threw the drain to unclog. Found tissue and waste. J3 mopped up	11:42 AM	Normal Maintenance
8/13/09	1:26 PM	Sarah Taylor	10	mens restroom urinals have an extremely strong smell and water pressure low	B5269484-1	Janitorial	1:31 PM	E6 & J2	Smell is because someone urinated on the floor. Water pressure is ok, all urinals and toilets are flushing ok	1:40 PM	Tenant issue
8/13/09	1:30 AM	Leticia Flores	3	Texas and Florida room are hot	B5269491-1	HVAC	1:33 PM	E6	Room temp 77, no graphics or readings on computer	1:52 PM	Construction related
8/15/09	12:15 AM	Brenda McElyea	25	AC is blowing hot air	B5270357-2	HVAC	8:30 AM	E1	AC was off on weekend, and kicked on there this morning ok	8:44 AM	Afterhours call
8/15/09	12:48 AM	Elayn Ruthart	11	Please service ladies and mens restrooms, very unpleasant odor is present in both and can be detected in our work area	B5271225-2	Odor	8:30 AM	E7	deodorizers in restrooms low and AC was off	8:44 AM	Afterhours call & CBRE
8/17/09	2:47 AM	Brenda McElyea	25	Light out over a desk see Brenda McElyea	B5264828-2	Lights	8:20 AM	J3	Replaced 3 light bulbs	8:35 AM	Normal Maintenance
8/17/09	9:13 AM	Leticia Flores	3	Warmin the Florida and Texas rooms in the conference training center	B5272124-2	HVAC	8:39 AM	E7	Reports Brian with Whiting Turner was there checking problem	9:47 AM	Construction related

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8/17/09	10:32 AM	Anna Orozco	8	Ladies restroom 1st 2 stalls have back up, clean up needed	B5272342-3	Plumbing	10:37 AM	E7, E4 & J4	Unstopped toilets and J4 cleaned up	10:55 AM	Duplicate call
8/17/09	10:44 AM	Anna Orozco	8	Ladies restroom 1st 2 stalls have back up, clean up needed	B5272342-4	Plumbing	11:02 AM	E6	Someone had already taken care of	11:05 AM	Normal Maintenance
8/19/09	9:03 AM	Martella Craig	10 & 11	Requesting additional janitorial services to deliver 3 large blue waste bins to each hub due to catering services happening from Friday thru Tuesday. Need delivered 8/21/09 and picked up on 8/25/09. Please contact Martella to discuss the cleaning services for the events over the weekend.	B5275925-1	Janitorial	9:10 AM	J2	has been informed and will talk to J1	9:15 AM	BofA request
8/21/09	12:49 AM	Martella Craig	10 & 11	Need to have janitorial services for the following days this Friday 8/21 from 8:30pm until 10:30pm, Sat 8/22 from 9:00am until 9:00pm, Sun 8/23 also until 11:00am and Mon 8/24 8:30pm until 10:30pm	B5277638-2	Janitorial	8:18 AM	J2	Already taken care of	8:30 AM	BofA request
8/21/09	12:50 AM	Deona Vargas	28	Light out in hallway above entry to the office	B5277846-2	Lights	8:18 AM	J3	Replaced light	8:25 AM	Normal Maintenance
8/24/09	3:06 PM	Elayn Ruthart	11	Too cold in 11-017	B5281486-1	HVAC	3:42 PM	E6	Room temp 69.5, made adjustment	3:55 PM	Construction related
8/27/09	12:09 PM	Elayn Ruthart	11	Too cold in northwest corner cubes 11-120 thru 11-127	B5286923-1	HVAC	12:15 PM	E6	Adjusted temp	12:30 PM	Construction related
8/27/09	12:12 PM	Brenda McElyea	25 & 26	Please AC on tomorrow night 8/28/09 on 25 and 26 until 9:00 PM	B5286934-1	HVAC	12:15 PM	E1	Put run times in computer	12:30 PM	BofA request

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9/2/09	2:22 PM	Teresa Houchins	10	Freezing in area near 10-195 southeast side	B5294689-1	HVAC	2:28 PM	E6	Temp was 73.5, set point 73.5, changed set point to 74.5	2:40 PM	Construction related
9/3/09	12:26 AM	Irma Ramirez	6	Need ceiling lights replaced Cube 625B	B5290341-2	Lights	8:34 AM	J3	Replaced lights	8:50 AM	Normal Maintenance
9/4/09	12:51 PM	Barbara Rogers	9	Elevator lobby lights out please replace burned out bulbs	B5297932-1	Lights	12:52 PM	E5	Fixed lights	1:26 PM	Normal Maintenance
9/8/09	3:48 PM	Elayn Ruthart	11	Too cold in 11-028	B5280374-3	HVAC	3:50 AM	E7	Adjusted temp	4:06 PM	Construction related
9/8/09	1:51 PM	Teresa Houchins	10	Too cold in cube 10-195 southeast side	B5299638-1	HVAC	2:05 PM	E7	7-Z1 SPCO is reading 71.2 east side of 10	2:15 PM	Construction related
9/8/09	12:39 PM	Anna Orozco	8	Ladies restroom please clean up human waste	B5299888-1	Janitorial	1:03 PM	J2	Cleaned up	1:28 PM	Tenant issue
9/12/09	5:32 PM	Brenda McElyea	25	AC blowing warm air see Brenda McElyea on which unit	B5300886-2	HVAC	8:32 AM	E1	Weekend call Ac was off	8:35 AM	Afterhours call
9/12/09	8:58 AM	Teresa Houchins	10	Too cold in team room 10-035	B5305585-2	HVAC			Still having computer problems		Construction related
9/15/09	3:08 PM	Leticia Flores	3	Texas and Florida room are too cold	B5306881-4	HVAC			Still having computer problems		Construction related
9/16/09	8:11 AM	ReneE Jones	21	Water dripping from ceiling near kitchen it is coming from floor above them	B5309892-2	Leak	8:30 AM	E7	Having a meeting on 22 and someone turned on the ice machine that's broke. Water from drain line is dripping, turned off ice machine	9:09 AM	Cause by other tenant
9/16/09	12:42 PM	Elayn Ruthart	11	Repair leak in northwest corner in the walkway between the cubicle	B5310640-2	Leak	2:22 PM	E7 & E6	Repair FCU that is leaking already talked to Bud	2:30 PM	Normal Maintenance
9/17/09	3:47 PM	Sandra Richards	6	Client Immigr. Dept. please attach 2 light covers they have come completely off	B5304818-2	Lights	3:51 PM	J3	Replaced lense covers	4:08 PM	Normal Maintenance
9/17/09	11:44 AM	Leticia Flores	3	Conference/Training Center GA & MD the window AC is making loud noise and meeting is going on	B5312228-2	HVAC	11:36 AM	E7 & E1	New system unit is not rattling but humming loud from fan	11:36 AM	Normal Maintenance
9/17/09	3:22 PM	Rachelle Raasch	26	Clean up spill in break room	B5312954-1	Janitorial	11:26 AM	J2	Cleaned up spill	11:55 AM	Normal Maintenance
9/18/09	10:09 AM	Toni Martin	18	Warm in corporate real estate dept northwest corner	B5313615-2	HVAC	10:14 AM	E6	Made adjustments on computer	10:26 AM	Normal Maintenance

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9/20/09	11:48 AM	April Hall	21	One panel of ceiling is flickering west side	B5309844-2	Lights	8:40 AM	J3	Weekend call, sent J3 to look for it	9:24 AM	Normal Maintenance
9/20/09	5:46 PM	Margaret Hiser	11	2nd Stall won't flush in ladies rest room	B5310885-2	Plumbing			Weekend call was fixed by Sunday janitorial		Normal Maintenance
9/23/09	12:31 PM	Anna Orozco	8	Too cold at southeast side see Robin Haddock	B5319045-2	HVAC	1:35 PM	E5	Made adjustments on computer	1:55 PM	Normal Maintenance
9/23/09	1:46 PM	Doreen Honza	32	Mens room urinal has been running all a.m. afraid it will run over	B5319599-1	CBRE	1:40 PM	E6	Turned back over to Ron with CBRE engineering		CBRE
9/24/09	12:17 AM	Rachelle Raasch	26	Clean up spill in break room	B5312954-2	Leak	8:24 AM	J2	Night crew cleaned up but found that water is coming from ice machine. Turned over to CBRE engineering	8:35 AM	Tenant issue
9/24/09	8:15 PM	Raymond Glenn	21	Too cold in northwest corner	B5319235-2	HVAC			Afterhours call		Afterhours call
9/24/09	8:21 PM	Christopher Brantly	9	Air needs to be turned off or redirected air is causing this person to get cold	B5319729-2	HVAC			Afterhours call		Afterhours call
9/28/09	2:31 PM	Leticia Flores	3	Texas-Florida Conference Rooms too cold	B5325227-1	HVAC	2:34 PM	E7	Temps are in range at 72	2:55 PM	Construction related
9/29/09	6:14 PM	Joseph Begue	25 & 26	We will be working extended hours 9/28 and 9/29 and will need HVAC system on until 9:00 PM both days	B5325553-2	HVAC			Afterhours call was too late to provide by the time call came in		BofA request
9/29/09	6:18 PM	Anna Orozco	8	Loud noise coming from vents on southeast side	B5325919-2	HVAC			Afterhours call		Afterhours call
9/30/09	8:41 AM	Barbara Rogers	10	East side check temp too cold	B5327149-2	HVAC	9:35 AM	E7	Made adjustments on computer	9:52 AM	Construction related
10/1/09	9:26 AM	Martella Craig	11	Very cold on floor in area of cube 11-074	B5319219-1	HVAC	9:50 AM	E6	Whole floor 74-75 tenant not even in state informed by enant behind cubicle	10:01 AM	Construction related
10/5/09	9:22 AM	Leticia Flores	3	Texas and Florida rooms too hot	B5332922-1	HVAC	9:26 AM	E7	Temps were 71	9:33 AM	Construction related
10/5/09	12:10 PM	Teresa Houchins	10	Too cold in team room 10-035	B5333103-2	HVAC	12:27 PM	E4	Made adjustments on computer	12:39 PM	Construction related

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10/5/09	12:11 PM	Luella Telker	29	Southwest section work area is too cold temp at 64 degrees usually 70 degrees is normal don't make it too hot	B5333393-1	HVAC	12:27 PM	E6	Made adjustments on computer	12:45 PM	Normal Maintenance
10/6/09	11:30 AM	Stephen Marshall	29	it is 64 degrees on the west end. When I arrived this morning it was 63 degrees	B5333227-1	HVAC	12:27 PM	E6	Made adjustments on computer	12:51 PM	Normal Maintenance
10/7/09	7:52 AM	Leticia Flores	3	One of the ceiling tiles fell and broke all over the floor and on some chairs and table. Please clean up broken tiles	B53358778-3	Janitorial	8:18am	E& J1	E7 working on that; J1 reports clean-up is done	9:00 AM	Normal Maintenance
10/7/09	7:52 AM	Leticia Flores	3	One of the ceiling tiles fell and broke all over the floor and on some chairs and table. Please clean up broken tiles	B53358778-3	Janitorial	8:18am	E& J1	E7 working on that; J1 reports clean-up is done	9:00am	Normal Maintenance
10/7/09	10:14 AM	Alma Walling	6	Need all HVAC vents cleaned	B5336318-2	Janitorial		J1			Normal Maintenance
10/7/09	10:14 AM	Alma Walling	6	Need all HVAC vents cleaned	B5336318-2	Janitorial		J1	Scheduled for weekend		Normal Maintenance
10/7/09	10:14 AM	Alma Walling	6	Need training room vacuumed	B5336318-3	Janitorial	10:15 AM	J2	Training room vacuumed on 10/09/09 reported by J2		Normal Maintenance
10/7/09	10:14 AM	Alma Walling	6	Need training room vacuumed	B5336318-3	Janitorial	10:15 AM	J2	Training room vacuumed on 10/09/09 reported by J2		Normal Maintenance
10/8/09	10:35 AM	Leticia Flores	3	N. Carolina Conf. room is too warm	B5336379-1	HVAC	10:35 AM				Construction related
10/8/09	10:25 AM	Anna Orozco	8	Stall #3 in ladies RR has over flown	B5337885-2	Plumbing		E6	unclogged toilet	11:09am	Normal Maintenance
10/8/09	10:25 AM	Anna Orozco	8	Stall #3 in ladies RR has over flown request for clean-up	B5337885-3	Plumbing		E4 & J2	unclogged toilet and cleaned up		Normal Maintenance

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10/9/09	2:56 AM	Luella Telker	29	AC vent along entire west wall are producing hot air on a continual basis instead of cold. Temp is 4 degrees warmer on this side is very uncomfortable	B5313710-2	HVAC	8:18 AM	E4	Afterhours call, air compressor went down during night	8:18 AM	Afterhours call - Equipment failure
10/9/09	10:14 AM	Suzanne Payne	8	to warm on the northeast side of floor	B5337797-1	HVAC	10:33 AM	E6			Normal Maintenance
10/9/09	10:14 AM	Suzanne Payne	8	to warm on the northeast side of floor	B5337797-1	HVAC	10:33 AM	E6	Made adjustments on computer		Normal Maintenance
10/10/09	11:01 AM	Anna Orozco	8	Ladies RR 2 toilets overflowing	B5339431-1	Plumbing	11:14 AM	CBRE~Ron Murray	Turned over to CBRE		CBRE
10/10/09	11:01 AM	Anna Orozco	8	Ladies RR 2 toilets overflowing	B5339431-1	CBRE	11:14 AM	CBRE~Ron Murray	Turned over to CBRE		CBRE
10/10/09	11:01 AM	Anna Orozco	8	Ladies RR clean up is needed due to 2 toilets overflowing	B5339431-2	Plumbing		E4 & J2	unclogged toilets and cleaned up		Normal Maintenance
10/12/09	10:12 AM	Alma Walling	6	floor need to be treated for roaches	B5336318-1	Terminix			Terminix was sent to floor to treat area		Normal Maintenance
10/12/09	10:12 AM	Alma Walling	6	floor need to be treated for roaches	B5336318-1	Terminix			Terminix was sent to floor to treat area		Normal Maintenance
10/12/09	9:18 AM	Kris Emmert	29	cold call	B5340660-2	HVAC	9:24 AM	E7	Construction is going on that floor there is no way to control the air nothing we or CBRE can do		Construction related
10/12/09	9:18 AM	Kris Emmert	29	cold call	B5340660-2	HVAC	9:24 AM	E7	Construction is going on that floor there is no way to control the air nothing we or CBRE can do		Construction related
10/13/09	10:11 AM	Anna Orozco	8	Too warm on northwest side of building (elm street)	B5341097-1	HVAC	10:15 AM	E7	Made adjustments on computer		Normal Maintenance
10/13/09	10:11 AM	Suzanne Payne	8	N.E. corner too hot	B5341276-2	HVAC	10:17 AM	E6	changed unit from heating to cool	1:30 PM	Normal Maintenance
10/13/09	4:09 PM	Martella Craig	11	hot	B5341283-1	HVAC	4:18 AM	E5			Construction related
10/13/09	4:33 PM	Teresa Houchins	10	cold call	B5341350-1	HVAC	4:36 AM	E5			Construction related
10/13/09	7:09 PM	Teresa Houchins	10	cold call	B5341865-1	HVAC	9:01 AM	E4			Construction related

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10/13/09	3:24 PM	Leticia Flores	3	Georgia and Maryland conference rooms too hot	B5342017-2	HVAC	3:26 AM	E6		4:18 AM	Construction related
10/13/09	8:26 PM	Rodney Foreman	10	hallway door outside mail room is not closing completely.	B5342394-1	Doors & Locks	8:20 AM	E7	Door leaning on side (E7)	9:14 AM	Construction related
10/13/09	8:26 PM	Rodney Foreman	10	hallway door outside mail room is not closing completely.	B5342394-1	Maintence	8:20 AM	E7	Door leaning on side (E7) 10/19/09 E7 contacted Ron Murray at 1:54pm to take care of the problem	9:14 AM	Construction related
10/13/09	5:29 PM	Barbara Rodgers	9	Men's RR Urinal #3 is running and stall #1 toilet needs to be repaired	B5342578-1	Plumbing	9:04 AM	E4	work to be done by CBRE engineers A5 tried to contact Ron Murray (CBRE). Ron called back at 11:23 to report problem taken care of	11:23 AM	CBRE
10/14/09	10:11 AM	Anna Orozco	8	Too warm on northwest side of building (elm street)	B5341097-1	HVAC	4:25 AM	E5	changed set point from 74 to 72 degrees		No Problem
10/14/09	8:16 AM	Doreen Honza	32	Hot call	B5342937-1	HVAC	9:45 AM	E7	window unit is putting out 90 degrees set point is 73 and cooling E7 compressor went off and caused window unit to go into heat. Got compressor back on	4:32 AM	Normal Maintenance
10/14/09	9:37 AM	Christopher Larson	29	Cold cubicle 29.079	B5343063-1	HVAC	9:37 AM	E7	this floor is under construction	10:10 AM	Construction related
10/14/09	9:33 AM	Leticia Flores	3	clean up spill in breakroom coffee room	B5343095-1	Janitorial	9:43 AM	J4	Cleaned up spill	10:15 AM	Tenant issue
10/16/09	11:55 AM	Teresa Houchins	10	cold call Randle team room Zone VAV10	B5341609-2	HVAC	12:40 PM	E5	72 adjusted to 74 degrees on computer		Normal Maintenance
10/16/09	7:49 AM	Teresa LaMere	21	too cold	B5346369-1	HVAC	8:04 AM	E7			Normal Maintenance
10/17/09	1:06 PM	Leticia Flores	3	Faucet in breakroom is loose	B5334427-2	Plumbing	1:22 PM	E6	Tightened sink fixture on the 3rd floor		Normal Maintenance
10/17/09	1:06 PM	Leticia Flores	3	Faucet in breakroom is loose	B5334427-2	Plumbing	1:22 PM	E6	Tightened sink fixture on the 3rd floor		Construction related
10/19/09	1:42 PM	Matt Olson	26	too cold construction lending dept.	B5349209-1	HVAC	1:48 AM	E5	67 degrees adjustments made after 30 mins. temp was 71 talked to Matt Olson he said temp. is now okay.		Normal Maintenance
10/19/09	2:10 PM	Leticia Flores	3	Too cold in TX. FL. Room	B5349223-3	HVAC	2:15 AM	E5			Construction related
10/20/09	10:14 AM	Cara Edwards	18	cold	B5350041-1	HVAC	10:23 AM	E6	E6 reports compressor was out temp is now 71 degrees	10:36 AM	Normal Maintenance
10/20/09	10:15 AM	Deona Vargas	28	cold	B5350090-1	HVAC	10:27 AM	E7	Just got compressor started	10:45 AM	Normal Maintenance

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10/20/09	9:44 AM	Anna Orozco	8	entire floor to cold	B5350179-1	HVAC	9:53 AM	E7	Temp is 69 Compressor shut down	10:26 AM	Normal Maintenance
10/20/09	9:48 AM	Susan Sparks	21	cube 21.062 and neighbors have a lot of cold air coming thru the wall vents and it is too cold	B5350190-1	HVAC	9:52 AM	E6	Temp is 73 Compressor shut down	10:20 AM	Normal Maintenance
10/21/09	12:02 PM	Teresa Houchins	10	cold	B5348279-1	HVAC	12:30 PM	E7	72 degrees Brian informed E7 that temp was okay	2:47 PM	Construction related
10/21/09	1:59 PM	Cara Edwards	18	cold	B5352236-1	HVAC	1:59 PM	E7		2:30 PM	Normal Maintenance
10/21/09	2:02 PM	Ruby Taylor	3	cold in the copy center	B5352607-2	HVAC	2:30 PM	E5	69.5 degrees reset to 70.1	2:43 PM	Construction related
10/22/09	8:29 AM	Suzanne Payne	8	Too hot on entire floor	B5341276-4	HVAC	8:30 AM	E7		10:17 AM	Normal Maintenance
10/22/09	7:55 AM	Barbara Rodgers	10	A REPEAT issue manager is requesting air flow be turned off since it appears that nothing else has worked.	B5353337-1	HVAC		E7		8:21 AM	Construction related
10/23/09	10:05 AM	Leticia Flores	3	N. Carolina Conf. room is too cold	B5354882-4	HVAC	10:05 AM	E6	64.05 no graphics on floor report to E1	10:23 AM	Construction related
10/26/09	1:15 PM	Leticia Flores	3	Too cold in TX. FL. Room	B5356903-1	HVAC	8:17 AM	E7			Construction related
10/26/09	1:16 PM	Leticia Flores	3	Georgia room's interior door isn't staying open as it should a door stop is needed and repair	B5356903-2	Doors & Locks	8:27 AM	E7	re-directed at 9:07 am; 9:30 contact Flores to inform that E1 is taking care of the problem	9:30 AM	BofA request
10/26/09	12:48 PM	Anna Orozco	8	too cold in Ed Hamby's office	B5357682-1	HVAC	12:49 PM	E7			Normal Maintenance
10/26/09	2:35 PM	Brenda McEllyea	26	cold on floor side that faces Griffith street	B5357697-1	HVAC	2:22 PM	E7			Normal Maintenance
10/27/09	7:36 AM	Leticia Flores	3	Very cold on entire floor	B5358497-1	HVAC	8:03 AM	E7			Construction related
10/27/09	7:51 AM	Leticia Flores	3	Very cold on entire floor	B5358497-1	HVAC					Duplicate call
10/28/09	10:49 AM	ReneE Jones	21	Water leaking down in the corner of the Corporate Security Dept	B5360532-2	Leak	10:50 AM	J2, E1, E6 & E4	All working on leak		Duplicate call

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10/28/09	10:51 AM	Freda Clement	26	Water leaking from light fixture	B5360576-4	Leak	10:54 AM	J2, E1, E6 & E4	All working on leak		Caused by other tenant
10/29/09	5:29 PM	Buzzy Don Brown	32	Toilets in mens restroom overflowing	B5363049-1	Plumbing	5:30 PM	E5		6:00 PM	Normal Maintenance
10/30/09	2:17 PM	Elayn Ruthart	11	Too cold in cube 11-127	B5360662-2	HVAC	2:30 PM	E5			Construction related
10/30/09	1:19 PM	Leticia Flores	3	Too cold in Training and Conference Center	B5363755-2	HVAC	1:20 PM	E1			Construction related
11/2/09	9:37 AM	L.Flores	3	Texas/ Florida room still no lights	B5365528-1	Lights	9:37 AM	(J3)	reports lights have been taking care off	9:37 AM	Normal Maintenance
11/3/09	12:10 PM	L.Flores	3	key stuck in door Laticia	B5366717-2	Doors & Locks	11:08 AM	(E6)/(E7)	reports key has been taken out of door	12:29 PM	Normal Maintenance
11/3/09	10:18 AM	L.Flores	3	cold	B5367519-3	HVAC	10:18 AM	(E6)	reports temp s to (E1) to make adjust ments	10:18 AM	Normal Maintenance
11/3/09	3:00 PM	B.McEylea	26	cold	B5368170-1	HVAC	3:02 PM	(E5)	reports temp at 74 NW ,Wset at 75, already at room set point	3:02 PM	No Problem
11/3/09	3:20 PM	B.McEylea	26	Cold	B5368419-2	HVAC	3:40 PM	(E5)	reports already working on fi/made adjust 69 to 72	4:02 PM	Normal Maintenance
11/3/09	4:30 PM	B.McEylea	26	ladies restroom over flow/clean up	B5368509-1	Plumbing	4:06 PM	(E6)/(J4)	reports some did #2 on floor in bath room/ now cleaned up	4:30 PM	Tenant issue
11/5/09	12:00 PM	B.McEylea	26	leak	B5371008-2	Plumbing	12:38 PM	(E6)	reports taking care water coming from ac unit,unit no longer leaks	12:58 PM	Normal Maintenance
11/6/09	10:00 AM	R.Taylor	3	lights out	B5372439-2	Lights	10:00 AM	(J3)	reports replacing lights on the 3rd floor	10:44 AM	Normal Maintenance
11/9/09	2:00 PM	A.Orozco	8	water leak	B5375179	Plumbing	2:00 PM	(E5)	reports leak to Wayne cbre, drinking fountain & coffee machine	2:27 PM	CBRE
11/12/09	3:12 PM	N.Taylor	18	hot	B5378717-2	HVAC	3:12 PM	(E5)	reports temp is between 72 and 75 ,at room temp	3:32 PM	No Problem
11/12/09	1:00 PM	L.Flores	3	stains on window	B5379088-5	Janitorial	1:00 PM	(J2)	reports crew was cleaning windows	3:00 PM	No Problem
11/13/09	7:54 AM	L.Flores	3	cold	B5379711-2	HVAC	8:43 AM	(E4)	68 at the window/70 at desk.reports to (E1) to make adjust.	8:43 AM	Normal Maintenance
11/13/09	3:22 PM	N.Taylor	18	hot	B5380099-2	HVAC	3:22 PM	(E5)	tenant are moving boxes around/temp 72/73 temp is at room temp	3:32 PM	No Problem
11/16/09	12:32 PM	M.Craig	11	cold	B5381629-1	HVAC	12:32 PM	(E5)	adjusted set point on comp.for FCU11-15,11-14, to 74	1:00 PM	Normal Maintenance
11/16/09	9:28 AM	L.Flores	3	cold	B5381686-2	HVAC	9:28 AM	(E4)	made adjust. On comp.	9:28 AM	Construction related
11/16/09	11:49 AM	N.Salahshour	29	cold	B5382064-2	HVAC	11:49 AM	(E5)	replaced prematic valve, changed set pointfrom 72-74	12:04 PM	Normal Maintenance

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11/17/09	11:14 AM	A.Orozco	8	restock	B5374474-2	Janitorial	11:14 AM	(J1)	talk to larry to see if he would like for PBM to stock restrooms with sanitizer or not. Larry respondedd he will get back next week.	11:21 AM	BofA request
11/17/09	11:24 AM	G.Shields	18	cold	B5380106-1	HVAC	11:24 AM	(E5)	reports no change allready in range	11:40 AM	No Problem
11/17/09	8:46 AM	L.Flores	3	cold	B5383275-2	HVAC	8:46 AM	(E7)	reports this problem to (E1) to make adjust. (E6) reports temp 68	8:46 AM	Construction related
11/17/09	12:00 PM	A.Orozco	8	cold	B5383688-1	HVAC	12:00 PM	(E5)	adjust the set point for FCU-16 from FCU-1from 72 - 74F	12:00 PM	Normal Maintenance
11/17/09	2:48 PM	L.Telker	29	hot	B5384376-2	HVAC	2:48 PM	(E5)	reports temp is 81, reports temp to (E1) to make adjust.	2:48 PM	Normal Maintenance
11/19/09	1:30 PM	R.Taylor	3	cold	B5385727-1	HVAC	1:33 PM	(E4)	reports to temp to (E1) , make changes in comp. 68.5	1:35 PM	Construction related
11/19/09	8:33 AM	L.Flores	3	cold	B5386855-1	HVAC	8:33 AM	(E7)	reports temp was 68, no access to comp.informedc (E1)	8:33 AM	Construction related
11/19/09	11:48 AM	C.Edwards	18	cold	B5387238-1	HVAC	11:48 AM	(E6)	report temp was at 69 degrees/report to (E1) to adjust in comp.	12:08 PM	Normal Maintenance
11/20/09	9:35 AM	Angela	21	no hot water	B5387167-3	Plumbing	9:00 AM	(E6) / (E4)	(E6) reports to (A2)working on the water issue for the bank floors waiting til (E4) returns from vacation	9:35 AM	Construction related
11/23/09	8:05 AM	L.Flores	3	cold	B5389913-1	HVAC	8:05 AM	(E7)	reports air compressor was off, now on, temp was 65.3	8:55 AM	Normal Maintenance
11/23/09	10:21 AM	B.McEylea	26	cold	B5390332-1	HVAC	10:21 AM	(E7)	made a vent adjust.over desk	10:21 AM	Normal Maintenance
11/24/09	8:35 AM	T.LaMere	21	cold	B5391801-1	HVAC	8:35 AM	(E7)	reports temp on fl.72,changed to 74	8:48 AM	Normal Maintenance
11/24/09	8:44 AM	B.McEylea	25	cold threw out the fl.	B5391817-2	HVAC	8:44 AM	(E7)	made adjust in comp.	9:00 AM	Normal Maintenance
11/24/09	9:30 AM	A.Orozco	8	cold	B5392035-1	HVAC	9:30 AM	(E6)	reports compressor was off, temp at 72 set point 74	10:29 AM	Normal Maintenance
11/24/09	10:00 AM	C.Williams	8	clogged toilet	B5392130-1	Plumbing	10:03 AM	(E4)	reports paper towel stuck in toilet, unclogged now	10:40 AM	Tenant issue
11/24/09	11:40 AM	L.Espinoza	18	cold	B5392281-3	HVAC	11:40 AM	(E6)	waiting on parts for compressor/unit is down	12:00 PM	Normal Maintenance
11/25/09	8:12 AM	T.Houchins	10	cold	B5393382-1	HVAC	8:12 AM	(E7)	reports making changes in comp.	8:12 AM	Normal Maintenance
11/25/09	9:57 AM	T.Houchins	10	cold	B5393382-1	HVAC	9:57 AM	(E1)	reports making changes in comp.	10:57 AM	Normal Maintenance
11/25/09	11:27 AM	A.Orozco	8	cold	B5393430-1	HVAC	11:27 AM	(E7) / (E1)	made adjust ments. (E7) reports temp is at 72middle/70 window	12:55 PM	Normal Maintenance
11/25/09	10:57 AM	L.Espinoza	18	cold	B5393760-1	HVAC	11:54 AM	(E1) / (E5)	reports temp on fl.68 to 70. reports to (E1) to make adjust.	12:55 PM	Normal Maintenance

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11/27/09	9:51 AM	S.Payne	8	cold	B5394746-1	HVAC	9:51 AM	(E6)	reports temp between 67/68 threwout fl.made adjust.on pump	10:08 AM	Normal Maintenance
11/30/09	1:13 PM	E.Ruthart	11	cold	B5395251-2	HVAC	1:40 PM	(E4)	reports unit to (E1) to make adjust.	1:40 PM	Construction related
11/30/09	8:08 AM	T.LaMere	21	cold	B5395610-1	HVAC	8:08 AM	(E7)	talk to tenant , inform tenant will make changes in comp.	8:08 AM	Normal Maintenance
11/30/09	8:08 AM	L.Flores	3	cold	B5395617-2	HVAC	8:08 AM	(E7)	made adjust.in comp.temp is at 73middle and 60 at window	8:08 AM	Construction related
11/30/09	8:26 AM	A.Orozco	8	cold	B5395679-1	HVAC	8:26 AM	(E1)	reports making changes in comp.	8:26 AM	Normal Maintenance
11/30/09	9:10 AM	J.Hoyt	21	cold	B5395680-1	HVAC	9:10 AM	(E1)	reprots made changes in the comp.	9:18 AM	Normal Maintenance
11/30/09	8:26 AM	J.Morrison	21	cold	B5395686-1	HVAC	8:26 AM	(E1)	made adjust. In comp.temp70 middle and 67 at window	8:26 AM	Normal Maintenance
11/30/09	8:49 AM	R.Glenn	21	cold	B5395690-1	HVAC	8:49 AM	(E7)	temp is at 62.8. made changes in comp.	8:49 AM	Normal Maintenance
11/30/09	2:58 PM	R.Glenn	21	cold	B5395690-1	HVAC	1:48 PM	(E1)	reports making changes in comp.	1:48 PM	Normal Maintenance
11/30/09	9:46 AM	M.Craig	11	cold	B5395739-2	HVAC	9:46 AM	(E4)	reports temp to (E1) to make adjust.temp is 68.5	9:46 AM	Construction related
11/30/09	8:58 AM	S.Tatlor	10	spill	B5395752-1	Janitorial	8:58 AM	(J2)	reoprts spill has been mopped up	8:58 AM	Tenant issue
11/30/09	10:24 AM	L.Williams	18	cold	B5396010-2	HVAC	10:24 AM	(E1)/(E7)	reports temp on fl. Was 70/ (E1) made adjust. In comp.	10:24 AM	Normal Maintenance
11/30/09	10:18 AM	K.Denton	21	cold	B5396028-1	HVAC	10:18 AM	(E4)	reports unit was off /now plugged back in	10:18 AM	Normal Maintenance
11/30/09	11:22 AM	K.Denton	21	cold	B5396028-1	HVAC	11:22 AM	(E1)	reports to the 21st floor talk to tenant, made adjust. By comp.	11:45 AM	Normal Maintenance
11/30/09	10:30 AM	T.Stone	29	cold	B5396038-1	HVAC	8:42 AM	(E1)	made adjust.in comp.	8:42 AM	Normal Maintenance
11/30/09	11:27 AM	M.laman	10	cold	B5396255-1	HVAC	11:27 AM	(E7)	reports temp was 68, no access to comp.informedc (E1)	11:27 AM	Construction related
11/30/09	11:44 AM	B.Rogers	11	cold	B5396313-1	HVAC	11:44 AM	(E5)	reports unit to (E1) to make adjust.	11:44 AM	Construction related
11/30/09	1:28 PM	R.Taylor	3	cold	B5396525-1	HVAC	1:28 PM	(E5)	no control over compressor/unplugged 3 exterior units	1:28 PM	Normal Maintenance
12/1/09	12:48 PM	T.Houchins	10	cold	B5393382-1	HVAC	11:45 AM	(E4)	reports tried to making adjusreports to (E1)	11:45 AM	Construction related
12/1/09	6:32 PM	J.Hoyt	21	cold	B5395680-1	HVAC	6:32 PM	(E7)	reportschecked when at8:18 on 12/2/2009 area was ok	6:32 PM	Normal Maintenance
12/1/09	9:16 AM	L.Flores	3	cold	B5397336-1	HVAC	9:16 AM	(E7)	reports we do not hav graphics for there heat /ac, reports to (E1)	9:16 AM	Construction related

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12/1/09	1:30 PM	Adt Security	3	outlets are not working	B5397928-1	Electricity	1:30 PM	ADT	ADT is on property and taking care of floors.	1:30 PM	Construction related
12/4/09	11:00 AM	L.Flores	3	cold	B5402554-2	HVAC	11:51 AM	(E1) /(E4)	Divcon is working on there system at this very moment	11:51 AM	Construction related
12/7/09	12:42 PM	S.Payne	8	cold	B5404894-1	HVAC	12:42 PM	(E5)	reports temp was at 70 change to 72	1:10 PM	Normal Maintenance
12/7/09	4:52 PM	S.Visher	18	hot	B5405206-2	HVAC	4:54 PM	(E6)	reports temp to (E1) comp. make adjust.	4:54 PM	Normal Maintenance
12/8/09	8:11 AM	R.Useton	10	hot	B5404548-1	HVAC	8:11 AM	(E7)	reports making adjust. to comp area 76	9:10 AM	Normal Maintenance
12/8/09	10:50 AM	R.Useton	10	cold	B5404548-2	HVAC	10:50 AM	(E5)	adjusted exterior units from 72 to 74/replaced 1 heat element	2:10 PM	Normal Maintenance
12/8/09	8:10 AM	T.Smith	29	HVAC alarm	B5404711-1	CBRE	10:00 AM	CBRE/(E1)	(E1) works with cbre to resolve issue.	10:00 AM	CBRE
12/8/09	8:22 AM	D.Peters	4	hot	B5404994-1	HVAC	10:50 AM	(E5)	reports unit was turned off/ now on/informed.L.William	10:50 AM	Normal Maintenance
12/8/09	8:09 AM	B.Rogers	9	cold	B5405164-1	HVAC	8:09 AM	(E7)	reports temp 69 to (E1) to make adjust	8:30 AM	Construction related
12/8/09	8:04 AM	J.Carter	6	lights out	B5406064-1	Lights	8:04 AM	(J3)	reports some lights wer changed/other have to be order	8:32 AM	Normal Maintenance
12/8/09	3:38 PM	D.Yarborough	18	hot	B5406441-1	HVAC	3:38 PM	(E7)	reports the temp is 72, made adjust. To 70	3:58 PM	No Problem
12/8/09	3:05 PM	L.Flores	3	hot	B5406787-1	HVAC	3:05 PM	(E5)	adjusted temp from 72 to 70, temp was 69.5	3:05 PM	No Problem
12/8/09	1:41 PM	J.Blair	6	dust	B5406819-1	Janitorial	1:41 PM	(J2)	reports all areas in LR has been cleaned	1:41 PM	Normal Maintenance
12/8/09	8:20 AM	J.Begue	25	hot	B5407738-1	HVAC	8:20 AM	(E7)	reports made adjust. To unit	8:20 AM	Normal Maintenance
12/9/09	8:15 AM	L.Flores	3	cold	B5407902-1	HVAC	8:15 AM	(E4)	reports temp to (E1), check temp on comp. spoke w/ L.Flores	8:15 AM	Construction related
12/9/09	2:22 PM	T.Houchins	10	hot	B5408271-1	HVAC	2:22 PM	(E5)	mixedtemp/T.H is hot/ J.Pain cold/ reports to (E1) make adjust.	2:22 PM	Construction related
12/9/09	10:30 AM	R.Taylor	3	cold	B5408382-1	HVAC	10:30 AM	(E4)	reports working w/Divcon on HVAC problems	10:30 AM	Construction related
12/10/09	9:00 AM	J.Begue	25	hot	B5407738-1	HVAC	9:00 AM	(E7)	reports made adjust. To unit	9:00 AM	Normal Maintenance
12/10/09	10:10 AM	N.Wafer	6	cold	B5408894-1	HVAC	10:10 AM	(E7)	68 degrees,adjusted thermo. To 72	10:27 AM	Normal Maintenance
12/10/09	8:20 AM	N.Wafer	6	cold	B5411257-1	HVAC	8:20 AM	(E4)	reports checking temp, reports to (E1 to make adjust.	8:20 AM	Normal Maintenance
12/14/09	8:23 AM	L.Flores	3	cold	B5413770-1	HVAC	8:23 AM	(E7)	reports temp was at 70, report to (E1)	8:23 AM	Construction related

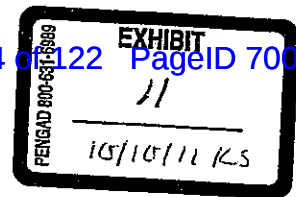
BANK OF AMERICA WORK ORDERS

12/14/09	3:16 PM	E.Ruthart	11	cold	B5414259-1	HVAC	3:16 PM	(E7)	can not make adjust.at building standard	3:23 PM	Construction related
12/15/09	11:36 AM	J.Nicholson	6	cold	B5416130-1	HVAC	11:36 AM	(E6)	window unit was off turned on	11:36 AM	Normal Maintenance
12/16/09	8:04 AM	L.Flores	3	cold	B5417833-1	HVAC	8:04 AM	(A4)	reports engineer made adjust.	8:04 AM	Construction related
12/16/09	8:18 AM	T.LeMere	21	cold	B5417853-1	HVAC	8:18 AM	(A4)	reports engineer made adjust.	8:18 AM	Normal Maintenance
12/16/09	8:32 AM	J.Issacs	9	cold	B5417886-1	HVAC	8:32 AM	(A4)	reports engineer made adjust.	8:32 AM	Construction related
12/16/09	8:42 AM	T.Houchins	10	cold	B5417908-1	HVAC	8:42 AM	(A4)	reports engineer made adjust.	8:42 AM	Construction related
12/16/09	11:37 AM	J.Issacs	10	replace glass/metal	B5418386-1	Misc.	11:37 AM	(A4)	report engineer takes care of work order	11:37 AM	BofA request
12/18/09	1:05 PM	E.Ruthart	11	cold	B5422355-1	HVAC	1:05 PM	(E4)	reports temp was at 70, report setting unit to 72	1:42 PM	Construction related
12/18/09	1:25 PM	A.Orozco	8	board hanging	B5422490-1	Misc.	1:48 PM	(E5)	reports replacing the board on the wall.now secure	1:48 PM	BofA request
12/22/09	11:08 AM	E.Ruthart	11	cold	B5426415-1	HVAC	11:08 AM	(E6)	reports made adjust. To unit	11:08 AM	Construction related
12/22/09	11:10 AM	S.Payne	8	hot	B5426453-1	HVAC	11:10 AM	(E4)	reports made adjust. to unit	11:10 AM	Normal Maintenance
12/23/09	12:49 PM	E.Ruthart	11	cold	B5426415-1	HVAC	11:52 AM	(E6) / (E4)	reports each engineer mad adjust. Twice checking on tenant	11:52 AM	Construction related
12/23/09	10:52 AM	S.Parlin	6	hot	B5428247-1	HVAC	9:39 AM	(E6)	80 was the temp/made adjust. Tp perimeter unit.	9:39 AM	Normal Maintenance
12/23/09	11:35 AM	A.Orozco	8	hot	B5428363-1	HVAC	10:53 AM	(E4)	chiller was off/ needed time to come on	10:53 AM	Normal Maintenance
12/23/09	2:00 PM	L.Latimer	6	hot	B5428397-1	HVAC	2:00 PM	(E4)	reports unit was turned off/ now on	2:00 PM	Normal Maintenance
12/23/09	11:51 AM	V.Surmillier	29	refrigerator off	B5428450-1	CBRE	11:51 AM	(A5)	reports work order to Ron Murray/informed will take of	11:51 AM	CBRE
12/23/09	3:11 PM	S.Davis	29	refrigerator off	B5428547-1	CBRE	3:11 PM	(A5)	reports to cbre/refrigerator no longer works	3:11 PM	CBRE
12/23/09	3:14 PM	N.Taylor	18	door	B5428862-1	CBRE	3:15 PM	(E7)	reports the door to cbre/ to contact ADT	3:18 PM	CBRE
12/23/09	3:30 PM	E.Ruthart	11	audio equip.not working	B5428884-1	CBRE	3:30 PM	(E5)	reports equipment belongs to B.O.A/there is power	4:00 PM	CBRE
12/28/09	8:09 AM	L.Flores	3	cold	B5430473-1	HVAC	8:09 AM	(E7)	reports temp to (E1) comp. is down so cant make changes	8:09 AM	Normal Maintenance
12/28/09	11:27 AM	S.Payne	8	cold	B5430752-1	HVAC	10:49 AM	(E4)	reports the temp of 70 to (E1) to make adjust.	11:01 AM	Normal Maintenance

**BANK OF AMERICA
WORK ORDERS**

12/29/09	8:00 AM	L.Espinoza	18	cold	B5431940-1	HVAC	8:00 AM	(E7)	reports temp on fl.63.8, (E7) reports to (E1) make adjust.	8:18 AM	Normal Maintenance
12/29/09	4:00 PM	J.Robbins	10	cold	B5432622-1	HVAC	4:00 PM	(E5)	reports temp68.8, adjust to 70 report unnit to (E1)	4:20 PM	Construction related
12/29/09	12:00 PM	C.Morones	26	microwave on fl.	B5433286-1	CBRE	12:00 PM	(A5)	redirected to cbre	12:00 PM	CBRE

From: Randy Kohana [rkohana@rakgroup.com]
Sent: Tuesday, April 06, 2010 5:36 PM
To: Sudderth, David L
Subject: OMP
Attachments: OMP- B of A ltr to David Sudderth-4-6-10.pdf; Cambridge Real Estate Consulting.pdf



Randy Kohana
President
RAK Main Place Associates L.P.
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New York, NY 10012
(212) 245-1601 (Tel)
(212) 245-7001 (Fax)
RKohana@rakgroup.com
www.rakgroup.com

RAK

VIA E-MAIL AND FEDEX

April 6, 2010

Mr. David L. Sudderth
Transaction Director
Bank of America
Bank of America Corporate Workplace
35 North Greenville Circle
The Woodlands, Texas 77382

Re: Lease Between RAK Main Place Associates L.P., as successor to RREEF USA Fund-II, as "Landlord" and Bank of America, N.A., as successor to NationsBank of Texas, as "Tenant", dated May 1, 1995, as amended (the "Lease"), for premises located at One Main Place, 1201 Main Street, Dallas, TX (the "Building")

Dear Dave:

We have worked exhaustively with Corporate Risk Consultants ("CRC") to address the alleged issues that they raised in connection with six (6) of the floors that are part of the Bank's premises. Subsequent to my email to you of March 30th saying that I would deal with all Worrell requests after the religious holiday we found the Worrells website (see attachment). CRC led us to believe that CRC was helping the Bank in connection with subleasing six (6) floors in the Building. However, as it turns out, CRC's sole business is to assist tenants in negotiating lease buyouts.

David Worrell called me a few weeks ago with a proposal to buyout your unused office space. As we were discussing the situation, among other comments he said "All my brother wants to do is make a lot of money on this". At the time I didn't know what to make of that comment but we have now pieced everything together.

As mentioned, we have come upon the websites and marketing pieces (see attached) of the Worrells and CRC or more accurately Cambridge Real Estate Consulting (also CRC). It is now obvious that this exercise is all about the Bank's intention of negotiating a buyout of the lease for the unused floors instead of the Worrells confirming that those floors are "safe to sublease" as they previously stated was their intention. As CRC's website clearly states, the Worrells do not engage in subleasing. Their only business is negotiating office lease buyouts.

270 Lafayette Street New York New York 10012

tel 212 245 1601

fax 212 245 7001

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R A K

Mr. David L. Sudderth

April 6, 2010

Page 2

In the words of the Worrells, from their website, among other things:

- 1) Work on commission only (percentage of savings).
- 2) Specialists in Negotiating Office Lease Buyouts
- 3) Find the "buttons" that will produce a positive result for the client.
- 4) Can get their clients out of their lease in 60 to 90 days.
- 5) Breaking a commercial lease is a "negative context business".
- 6) Their "boots on the ground" approach.

Additionally, John Worrell in conversations with my employees has spoken about me in a most disparaging fashion, as well as to my general manager. I cannot believe that Bank of America condones this type of behavior.

Dave, we have had a good and professional landlord/tenant relationship for 12 years without any of the issues that have arisen recently. At this point as Landlord, we will not have any more contact with the Worrells. They are not to contact us or any of our employees including without limitation, via e-mail, regular mail and/or telephone. We will be happy to communicate directly with Bank of America employees.

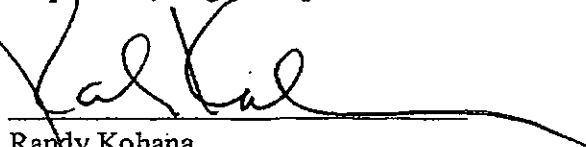
In summary, we are going to look to the lease between us and follow it completely, no more, no less. As previously mentioned, I am happy to meet with you "one on one" next week if you so desire.

Sincerely,

RAK MAIN PLACE ASSOCIATES, LP,
a Delaware limited partnership

By: RAK Main Ventures L.P., a Texas
limited partnership, its general partner

By: RAK Ventures Corp., a Texas
corporation, its general partner



Randy Kohana

President

CAMBRIDGE REAL ESTATE CONSULTING

SPECIALISTS IN NEGOTIATING OFFICE LEASE BUY OUTS

A surplus lease is not a real estate issue – *IT IS A CASH FLOW ISSUE*. Office leases are one of a corporation's largest expenses. Just one surplus lease can cripple your company and its ability to grow in a highly competitive marketplace. Negotiating a lease buy out is a unique process not understood or practiced by the real estate industry. Cambridge Real Estate Consulting not only pioneered this process – but can successfully negotiate a buy out of your surplus lease *quicker and less expensively* than subleasing.

A NEW SOLUTION: A PROFESSIONALLY NEGOTIATED LEASE TERMINATION

Lease termination negotiation is a specialized exercise that requires a unique and expert knowledge of real estate leases; finance and investor expectations. But most importantly, *it requires years of experience in this type of negotiation.*

THE SOLUTION DOES NOT FIND YOU... YOU MUST CREATE IT.

Surplus space can have great value to the landlord, which is often overlooked – even by the landlord. The landlord can earn far more for your space than you can under a sublease. They have the ability and expertise to more profitably market the property.

The challenge is to convince the landlord that it is in their interest to take back your space with a small cushion of cash *now* rather than leave the space vacant or have a less than desirable subtenant there.

A SUCCESSFULLY NEGOTIATED LEASE BUY OUT:

- ✓ COSTS FAR LESS THAN A SUBLEASE
- ✓ CAN BE ACCOMPLISHED IN 60 TO 90 DAYS
- ✓ ELIMINATES ALL RISK AND FUTURE LIABILITIES
- ✓ REQUIRES NO "AT-RISK" CAPITAL

"...I just wanted to formally thank you and your firm for helping us to negotiate a truly remarkable settlement with the landlord for our Atlanta office space. In an area like Atlanta, with millions of square feet of office space vacant, this was even better than I had hoped we could achieve."

■ Hunter Lewis, CFO, Netuitive

THE TRUTH ABOUT SUBLEASING: IT'S NOT A SOLUTION

A sublease not only creates a high-risk liability - it *puts you in the real estate management business*. Subleasing requires that you delegate the responsibility of your company's cash drain to a real estate broker - someone who does not have any vested interest in your company.

Real estate brokers rely on local landlords for future income. Asking them to negotiate a highly discounted lease buy out with that landlord can damage a critical relationship affecting their future income.

According to a *CFO Magazine* article, "...WHETHER BROKERS ADMIT IT OR NOT, THEY MAKE SURE THE GUY GIVING THEM THE ON-GOING BUSINESS - PROBABLY THE LANDLORD - GETS THE BENEFIT OF THE DEAL AS OPPOSED TO THE TENANT, WHO THEY'LL PROBABLY NEVER SEE AGAIN"

**CFO Magazine, Divided Loyalties, December, 2005*

3620 PRESTON POINTE WAY, SUITE 100, ATLANTA, GA 30041

888.472.5656

VPSales@CCGIMAIL.COM

A Typical Lease Buy Out Negotiation Process:

1. A SITUATION ANALYSIS

We dissect your lease and all additional bills and correspondences to determine your exact future obligation including any unanticipated fees or charges. We then develop a presentation outlining our findings.

2. PRE-PROCESS PLANNING

The most important and time consuming part of the buy out process is pre-process planning. The reason for this planning is to gain knowledge of the landlord's unique financial and market position. Once given the "go ahead", we meet with the landlord to explain the situation and determine their financial, marketing, and investor issues.

3. STRATEGY DEVELOPMENT

Once understanding your lease and business situation and meeting with the landlord and determining market conditions – we work directly with you to develop a strategy that fits your budget and timing.

4. TACTICAL NEGOTIATIONS

A negotiated lease termination is not just a simple meeting to convince the landlord to let you out of a large financial obligation. It requires several tactical negotiations to find the "buttons" that will help the landlord recognize the potential gain – or at least no potential loss.

5. EXECUTE THE BUY OUT

This is the most critical and delicate part of the process. More buy-outs are lost during the final legal negotiations and documentation than any other part of the process. We actively participate in this process through execution.



"...Mr. Worrell was extremely knowledgeable and effective in this (Buy Out) process. He successfully engaged our landlord in discussions that they otherwise were refusing to participate in and ultimately negotiated a termination agreement which was more favorable than the market offered at that time."

■ Sharon Kincl, CFO, Persona

FOR 23 YEARS CAMBRIDGE REAL ESTATE CONSULTING has been negotiating lease buy outs for Fortune 500 and venture capital backed companies in every major U.S. market. We have successfully negotiated over 1,200 lease buy outs for more than 100 clients saving them almost \$1.2 Billion.

We would be happy to give you a free, confidential analysis of your situation. This can give you a realistic picture of the present situation and offer several options to meet your needs whether we are engaged by you or not.

Cambridge Real Estate Consulting earns its compensation on contingency for the measurable value we save your company. Please call us at 888-472-5656 or email us at the address below.

**DON'T WASTE ANOTHER USELESS
RENT PAYMENT.**

3620 PRESTON POINTE WAY, SUITE 100, ATLANTA, GA 30041

888.472.5656

VPSales@CCGIMAIL.COM

NEGOTIATING CORPORATE LEASE TERMINATIONS FOR 23 YEARS

CAMBRIDGE REAL ESTATE CONSULTING**Cambridge Real Estate Consulting**

Dear Commercial Real Estate Broker:

As Managing Director of Cambridge Real Estate Consulting, let me extend to you a "special invitation" to work with us to assist your clients in ending their surplus lease obligations. We work with brokers all over the nation giving them increased credibility with their clients while preserving their income and client relationship. We can work as an "extension" of your staff managing the disposition project under your banner. By contracting Cambridge you can:

- Make use of the best team in the nation on your client's behalf.
- Preserve your income on the project.
- Stay in complete control of the process.
- Maintain that 'all important' relationship with the landlord.
- Free your valuable time to work on more profitable assignments.
- Most importantly - enhance your relationship with your client.

I know how much time, energy and money it takes to gain a good client. Yet only one bad experience can ruin years of hard work and excellent service. A lease disposition assignment is the most likely way to have that happen. We can prevent that from happening.

- We are not Real Estate Brokers - we are Financial Consultants.
- We have no future intent with your client - our loyalty is to you.
- You can continue your current subleasing efforts.

Breaking a commercial lease through a negotiated settlement is a "negative-context" business. If it were fun or easy - you would do it. It also requires years of experience to do it right. Let us take on that burden. Please call us with your situation. Perhaps we can help you really make a difference.

Sincerely,
David R. Worrell, Managing Director

Call Us For A No-Cost Consultation. 888-472-5656
[Click Here To Email Us](#)

Download Our PDF
This is a PDF file that we do; how we do it; in the past.

Download Our Report
This page provides us sharing their thoughts provided.

Download Our White Paper
This is our most read Truth About Settlement with your colleagues.

C

Haverty's Inc.
"You have a rare ability financially sophisticated landlords. I rely on you an extension of myself forward to doing so for me."

Beverly Rollins
Asset Manager
Haverty's Furniture Inc.

Netuitive Inc.

"Our situation was complicated remaining lease term..."

[Cambridge Real Estate Consulting - About Us](#)

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<http://www.cambridge-realestateconsulting.us/Brokers.htm>

3/30/2010

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CAMBRIDGE REAL ESTATE CONSULTING

The Solution Will Not Come To You - It Must Be Created!

Sublease marketing is a passive effort to mitigate your growing financial losses. You and your broker sit and wait for someone to come to you. A Negotiated Lease Termination, on the other hand, is an active effort to get you out of the lease now for the least expense. Unfortunately, real estate brokers are required by law to work toward the best interests of both the tenant and the landlord making aggressive negotiations on your behalf difficult. Most tenants lack the skills and experience required to build the necessary leverage for a successful negotiation. That's why contracting an expert third party financial consultant like Cambridge will generate the best results in the shortest time frame.

Creating A New Solution: Ending Your Lease Obligations.

Negotiating a lease buy out is a specialized discipline that requires a unique and expert knowledge of real estate leases, corporate finance and accounting, investment analysis, and FASB regulations. It also requires an expert knowledge of commonly over-looked lease expenses like taxes, insurance and common area maintenance costs.

But our greatest value comes from the many years of experience in this very unique type of negotiation. In our 23 years, Cambridge has:

- Successfully negotiated the termination of over 1,250 corporate leases.
- Recovered over \$500 million in savings for our clients.
- Saved on average 68% of our clients' remaining lease obligations.
- Released our clients from all remaining lease obligations and liabilities.

How Cambridge Is Compensated.

Engaging Cambridge requires no risk and no change in current subleasing efforts. Cambridge is paid for results: Measurable, Quantifiable Results. Once engaged, Cambridge is paid a small percentage of what is actually saved on a project, between 10% and 15% depending on project complexity (optional travel expenses, which are at the client's discretion and often not necessary, are billed separately). Our earnings are contingent upon meeting the goals our clients agree to before we are contracted.

If We Don't Succeed We Don't Get Paid - Period!

Download Our Brochure

This is a PDF file that explains in better detail how we do it; how we do it; and who we have worked with in the past.

Download Our References

This page provides references from past clients sharing their thoughts about the service we provided.

Download Our White Paper

This is our most read White Paper titled "About Subleasing". Please read it and share it with your colleagues.

Client Quotes


a savings of over \$5 Million to our company. Specialization in this field enabled them to succeed where other firms had already tried failed..."

James Dixon
 Chairman
 CompuCom Systems

Persona Inc.

"He successfully engaged our landlord in that they otherwise were refusing to participate ultimately negotiated a termination agreement that was more favorable than we ever expected."

Sharon Kincl
 CEO

 intuitive

Mr. David Worrell
Cambridge Consulting Group
6000 Fraser Street, Suite 10-302
Centennial, CO 80016

Dear David:

I just wanted to formally thank you and your firm for helping us to negotiate a truly remarkable settlement with the landlord for our Atlanta office space. Based on our remaining lease obligation prior to the settlement, we recovered approximately 55 cents on the dollar, *including* your commission. In an area like Atlanta, with 28 million square feet of office space vacant, this was even better than I had hoped we could achieve. Complicating our situation was the relatively short remaining lease term of seventeen months, yet you found a way to work that to our advantage in the negotiations. Of particular significance were the "boots-on-the-ground" tactics that your Atlanta associate, Tim Sundy, employed to convince the landlord to come to the table and negotiate in good faith. Your approach to the engagement was creative and professional—and successful!

I would be happy to be a reference for prospective Cambridge clients in the future. I believe you provide an immense value at a very reasonable price in what is certainly a challenging and unforgiving commercial real estate marketplace.

Please let me know if there is anything I can do for you in the future, and be sure to contact me if you're ever in the DC area.

Regards,

Hunter Louis

Chief Financial Officer

12700 Sunrise Valley Drive · Reston, VA 20191-5804
Tel 703-464-1390 Fax 703-464-1388

NEGOTIATING CORPORATE LEASE TERMINATIONS FOR 23 YEARS

CAMBRIDGE REAL ESTATE CONSULTING

MANAGING DIRECTOR

David R. Worrell, MCR.h,
CAS

David has been the Managing Director of Cambridge since its inception, over 23 years ago.

He has been personally involved in over 700 negotiated lease buy outs ranging from \$25,000 to \$50 Million in value.



David is an officer of CoreNet, an international commercial real estate education association for 20+ years. He was a senior instructor for them for over 8 years. He won the "Top Faculty" Designation for 4 straight years.

David is a graduate of Georgia Tech and later earned his Master of Corporate Real Estate with Honors. He has been a frequent speaker on disposition strategies and has authored 2 books - "surplus Property Strategies" and Financial Analysis of Real Estate Transactions".

OUR PROFESSIONALS

- Timothy Sundy
- Phil Skinner
- Salley Mertens, Ph.D.
- Marshall Cochran
- John Worrell

Call Us For A No-Cost Consultation. 888-472-5656
Click Here To Email Us

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This is our most read White Paper titled About Subleasing

David Teaching at NYU

